

LEVEL
ONE

THE

ISLAMIC REVIEW

Woking — England

THREE SHILLINGS

DECEMBER 1960

48th YEAR OF PUBLICATION



Yale Divinity
New Haven Conn

TO OUR SUBSCRIBERS AND CONTRIBUTORS

The Islamic Review, the official organ of the Woking Muslim Mission and Literary Trust, The Shah Jehan Mosque, Woking, Surrey, England, and of Azeez Manzil, Brandreth Road, Lahore, Pakistan, is published monthly. In conformity with the objects of its publishers *The Islamic Review* is a cultural, non-political journal which takes no stand on the political policies of the various Muslim countries. In publishing such articles as deal with the world of Islam, its sole aim is to acquaint the component parts of the Islamic world with those problems and difficulties. Its aim in presenting political issues is analytical and informative. All opinions expressed are those of the individual writers and not those of *The Islamic Review*, or its publishers.

The Editor will be glad to receive articles for publication. These will receive careful consideration and an honorarium arrived at by mutual arrangement will be paid for all manuscripts accepted for publication. All articles not accepted will be returned to their authors, but the Editor regrets he is unable to accept responsibility for their loss in transit.

Annual subscription £1 10s. 0d.; single copies 3s. post free or the equivalent of this amount unless otherwise mentioned.

Subscribers who remit foreign currency from abroad should kindly add bank charges to the amount remitted.

Registration to all countries at the equivalent rate of 12s. per annum per parcel.

The cost of sending 'The Islamic Review' by Air Mail varies with its destination, e.g. Egypt 3/-, Pakistan 4/- extra per copy

Orders for yearly subscriptions or single copies may be sent to:

Australia :

R. L. Priestley, Esq., 22a Trenerry Street, West Richmond, S. Australia.

British Guiana :

H. B. Gajraj, Esq., 13 Water Street, Georgetown.

British West Indies :

Mohammed Ibrahim, 31 Sellier Street, Cunepe, Trinidad.

Burma :

Smart & Mookerdam, 221 Sule Pagoda Road, Rangoon.

Ceylon :

Messrs. W. M. A. Wahid Bros., P.O. 195, 233 Main Street, Colombo.

Dutch Guiana (S. America) :

Alhadj-Abdr. B. Jaggoe, "Doekan," Saramacca Straat 115 P.O. Box 926, Paramaribo, Surinam.

England :

"The Islamic Review," The Shah Jehan Mosque, Woking, Surrey. £1 10s. 0d. post free; single copies 3s.

Fiji :

The Desai Book Depot, Box No. 160, Suva.

France :

For name and address of the agent please apply to The Manager, "Islamic Review," as above. Annual Subscription, 1,800 francs post free; single copies 180 francs.

Holland :

NV Boekhandel Antiquariaat en Mitgeverij, C.P.J. van der Peet, Nwe Spiegelstraat 33-35, Amsterdam C.

Hong Kong :

Sambo's Library, P.O. Box 448, Hong Kong.

AGENTS IN INDIA

Sh. Mohammad In'aam-ul-Haque, House No. 100 — A Class, A'zampore, Malakpeth, Hyderabad-Deccan.

Messrs. Usmania Book Depot, 104 Lower Chitpur Road, Calcutta.

S. Ziya Karim Rizvi, Bhagalpur.

Islamia Book Depot, Newspaper Agent, New Market, Tattarpur Chowk, Bhagalpur City (Bihar).

AGENTS IN PAKISTAN

Eastern Pakistan

Messrs. T. Ahmad & Co., P.O. Santahar, Dist. Bogra.

Muhammad Zahidul Huq, Esq., Station Road, P.O. Sonapur, Dist. Noakhali.

Pakistan Library; Booksellers & Stationers, Magura, Jessor.

Messrs. M. A. Malik & Bros., Court Road, Chittagong.

The Pakistan News Agency, Station Road, Saidpur, Dist. Rangpur.

Shah Tabarak Hossain, Esq., Newspaper Agent, P.O. Alamnagar, Dist. Rangpur.

Farooq Library, Booksellers, Rajshahi.

Continued on page 31
Kindly quote your subscriber's number when corresponding.

Subscriptions may begin with any desired number.

THE TRIUMPH OF THE HOLY QUR'AN

by

The Maulana SADR-UD-DIN

Characteristic teachings of the Qur'an. The Qur'an a modern book. Rights of Non-Muslims in a Muslim State. Muslims do not worship the Black Stone. The Qur'an a guardian over previous scriptures. Modern Christianity a relic of ancient idol-worship, and a host of other subjects discussed.

Price 8/- post free

Can be obtained from:

**THE WOKING MUSLIM MISSION
AND LITERARY TRUST**

Woking - Surrey - England

An attractively produced and re-designed ISLAMIC CALENDAR for 1961 C.E. (1380-1381 A.H.)

with the following distinctive features:

- (a) Solar (*Shamsi*) and Lunar (*Qamari*) year dates are shown in two different colours printed on one tab to each month.
- (b) Dates of principal Muslim and National holidays in the various Muslim countries of the world are shown on each tab.
- (c) The Calendar Card bears a four-colour design with the Ka'bah at Mecca in the background on which is super-imposed the Arabic word "Allah" in which are laced the variegated flags of principal Muslim countries.

PRICE 4 SHILLINGS EACH (Post Free)

Orders can be placed with our local representative or with

**The Islamic Review, The Shah Jehan Mosque,
Woking, Surrey, England**

or

*The Islamic Review, Azeez Manzil, Brandreth Road,
Lahore 7, Pakistan*

ISLAM OUR CHOICE ILLUSTRATED

320 PAGES

IN PRESS

Compiled by DR. S. A. KHULUSI, Ph.D.

There has long been a demand for a book that would relate in simple language the stories of various Europeans accepting Islam. Since 1913 C.E. such articles have been published in *The Islamic Review*. Most of these have now been collected in ISLAM OUR CHOICE.

ISLAM OUR CHOICE

is at once interesting and instructive. It brings a better understanding of Islam to Muslims and opens a new vista of Islam before non-Muslims. This is a book that should be widely circulated in all parts of the world.

ISLAM OUR CHOICE

also gives a sketch of the life of the Prophet Muhammad and discusses Muslim conception of law, liberty and morality, Muslim civilization in Spain, Islam in the world and a host of other subjects.

Price **10/6** post free

Can be obtained from—

The Woking Muslim Mission & Literary Trust, Woking, Surrey, England or Azeez Manzil, Brandreth Rd., Lahore 7, W. Pakistan



offers

CHEAPER INSURANCE FOR TOTAL ABSTAINERS

If you are a total abstainer you can save money by insuring with ANSVAR, because ANSVAR insures abstainers only. Principal benefits are: reduced premiums; up to 50% 'no-claim' bonuses and special discount for members of Temperance Groups on motor insurance.

policies available

**MOTOR, MOTOR CYCLE
AND SCOOTER,
HOUSEHOLDER AND
HOUSEOWNER, CARAVAN
AND CAMPING EQUIPMENT**

For full details, send off coupon now

To: ANSVAR INSURANCE COMPANY LIMITED
65 CORNHILL, LONDON, E.C.3.

I am a total abstainer. Please send me full particulars of your policies.

NAME.....

ADDRESS.....

Dept IS.3.

The Islamic Review

DECEMBER 1960

48th YEAR OF PUBLICATION

Contents

Editorial	3
The Triumph of the Qur'an	5
by The Maulana Sadr-ud-Din	
The Qur'an on Divorce	11
by A. S. K. Joommal	
The Arab Nation	15
by 'Abd al-Rahman 'Azzam	
Iraq in early Islamic times	19
by Naji al-Asil	
The Qur'an and the Sunnah — The two main sources of legislation in Islam	25
by Afzal Iqbal	
The influence of Ibn Al-Muqaffa' on <i>The Arabian Nights</i>	29
by Dr. S. A. Khulusi	
Documentation	32
The Second Arab Petroleum Conference	34
What is Islam ?	34
by Norman Lewis	
Book Reviews	35
What Our Readers Say	37

Between Ourselves

THE COVER

The picture on the Cover is that of a Mosque of Cairo, Egypt, built by Qa'it Bey, a Mameluke ruler of Egypt during the 15th century C.E. The name of Qa'it Bey (d. 1496 C.E.) has become identified with that of a whole epoch to which Cairo owes a great number of graceful monuments.

THE CONTRIBUTORS

The Maulana Sadr-ud-Din, a Pakistani Muslim, is at present President of the Ahmadiyya Anjuman Isha'at-i-Islam, Lahore, Pakistan. He was, during the First World War, Imam of the Shah Jehan Mosque, Woking, England. He is the first Muslim scholar to whom goes the distinction of having translated the Qur'an into German, published in 1939.

A. S. K. Joommal is a South African Muslim.

His Excellency 'Abd al-Rahman 'Azzam, an Egyptian Muslim, was the first Secretary-General of the Arab League. He is at present a legal adviser to His Majesty King Su'ud of Su'udi Arabia. Dr. Naji al-Asil, an Iraqi Muslim, was formerly Director-General of the Iraq Museum of Antiquities, Baghdad.

Afzal Iqbal, a Pakistani Muslim, is a member of the Senior Administrative Service of the Government of Pakistan. He is also the author of some books: his latest monograph, *The Life and Thought of Jalal-ud-Din Rumi*, has won him praise from scholars.

W. B. Bashyr-Pickard, B.A.(Cantab.), an English Muslim, is the author of some books on Islam. He also writes poetry and fiction.

Dr. S. A. Khulusi, Ph.D.(London), an Iraqi Muslim scholar, has made his mark in short story writing in modern Arabic literature. He is at present a member of the teaching staff of the University of Baghdad, Iraq.

The Islamic Review

Founded by THE LATE AL-HAJJ
KHWAJA KAMAL-UD-DIN

The Shah Jehan Mosque,
Woking, Surrey, England

Telephone: WOKING 679
Telegrams & Cables: MOSQUE, WOKING

London Office:
18 Eccleston Square, Victoria, London,
S.W.1. Telephone: VIC. 2591

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِيْمِ

سَلَّمٌ وَنَصِيْلٌ عَلٰى مُحَمَّدٍ رَسُوْلِهِ الْكَرِيمِ خَاتَمِ النَّبِيِّيْنَ

"Muhammad is . . . the Messenger of God and the Last of the Prophets . . ." —THE HOLY QUR'AN 33:40
"There will be no Prophet after me" —THE PROPHET MUHAMMAD

VOL. XLVIII No. 12

DECEMBER 1960 C.E.

Jumaada al-Thaaniyah 1380 A.H.

INTER-MUSLIM COUNTRIES RELATIONS

An Egyptian on the United Arab Republic-Pakistan relations

Exchanges between Cairo and Karachi have not always been as good as they are today. Though there are many fundamental reasons why the two countries should enjoy the best possible relations, a considerable number of obstacles have existed in the past which have undermined the good effects of these.

During the last few years a determined anti-British, anti-Imperialist rigidity in Cairo could not understand the Pakistan Government's apparent attachment to Britain. In Karachi, on the other hand, where experience of the British rule had followed quite a different pattern, Cairo's political dogmatism was perhaps regarded as unreasonable. Mutual ignorance of each other's problems, a consequence of the virtual isolation from each other under the former British Colonial rule, was not a factor to encourage a closer exchange and mutual understanding. With the emerging of the new post-war world in which for the first time in history the small powers were able to sit at the same voting council table as the great ones, the Arabs by their number and by the fact that many of them had already progressed towards complete sovereignty were called upon to face a series of crises which compelled them to exercise considerable diplomacy and caution in their management of international issues.

The leading power in this Arab community, Egypt, already possessed a relatively lengthy experience of the problems of international relations, and had clashed strongly with Britain over the interpretation of her 1936 Treaty with Britain. From the immediate post-war period onwards Egypt, engaged in a conflict with England, tended to look at other issues in the light of her own particular problems. Her decision in 1947 to bring her quarrel with England before the United Nations introduced her diplomacy to the complicated procedures of that body. She emerged from the

debate disappointed at the United Nations attitude, and determined to carry on the struggle with every means at her disposal. An additional issue, that of Israel, stressed still further the need to strengthen her voting front in that international organization.

Under the circumstances it was natural that she should seek her allies among the new emerging countries of Asia and Africa. As a member of the Arab League, Egypt already had six useful votes at her disposal, yet these were sadly insufficient against the powerful alignments at the disposal of her Western opponent. In 1946 the foundations of an Arab national policy were laid with the effective creation of an Arab League Organization. From the very outset this body chose to base its political doctrine on a foundation of liberalism, in which religious and racial differences were played down and common principles and aims became the solid basis of co-operation between the Arabs and other peoples.

Good relations were established with non-Muslim countries of Asia, particularly with India. In the matter of the partition of the Indian sub-continent the Arabs did not see eye to eye with the politics of Mr. Jinnah; their idealism combined with their knowledge of the dangers of a division in the face of what to them was still a powerful imperialist Britain caused them to view a division of the Indian sub-continent with apprehension. It was argued in Cairo that a division into Muslim and non-Muslim groupings could only serve the ends of the British, who would in a manner contrive to maintain their rule by playing India against Pakistan and being indispensable to both. This feeling took a concrete form in the refusal of the Arabs to become involved in issues such as those of Kashmir, where they felt British interests were served at the expense of the local inhabitants. Such policies did not endear Cairo to the Government of

Karachi, whose obsession with their Indian relations was overpowering and acute, and whose Muslim susceptibilities were bruised at the Arab attitude.

Another matter of much concern to Cairo was that old problem of a British-sponsored Muslim political revival. The English had gained for themselves a richly-deserved reputation for the encouragement of religious and sectarian strife in the Islamic world. In the late 19th century Britain had embarked on a policy whose object was the disintegration of the Ottoman Empire. Her representatives in the Levant had most effectively played on the fears of minorities, and on the division between the Turk and Arab. To the liberals of Cairo, policies based on religious political unions were equated inevitably with British intrigues.

It is here important to stress the role played by Britain in the encouragement of obscurantist sectarianism amongst the Muslim peoples. In the 19th century in Egypt in particular they were opposed by a movement of Islamic liberal revival whose object was the reform and rebuilding of the Ottoman Empire, not its destruction. These liberals were naturally opposed by the sectarian and reactionary elements. The Muslim hedge-priest (*mullah*) and the dervish had experienced considerable popularity in the declining years of the Ottoman State, their representatives were everywhere, and they formed sometimes fanatical elements of internal disruption within the body of the Muslim masses. The legitimist Arab Caliphate movement of al-Kawakiby in Aleppo, in the 1890's, for instance, was encouraged and supported by the ubiquitous British agents whose exploits in the Levant at the close of the 19th century to the eve of the First World War anticipated Colonel Lawrence and inspired British writers to produce the "Greenmantle" school of popular fiction.

In all these encounters Britain clashed with the Arab liberals; where the latter sought in Cairo, Damascus and Istanbul to create democratic forms of government and develop representative institutions, the British propped up weak dynasties and regressive governments. This was the era of colonial rule through degenerate local monarchies, an era which still in some cases persists to the present day.¹

It was natural, therefore, that the Arabs of the early 1950's, having finally succeeded in getting a liberal political movement of emancipation into motion through the Arab League, were determined not to become involved in what appeared to them to be an imperialist trap whose object was to bring about a serious division within the ranks of the nascent Afro-Asian movement. Rightly or wrongly they suspected some Pakistani leaders of willingness to sacrifice their freedom from British influence on behalf of their conflict with India.

At no time, however, during this period did the Arabs forget that Pakistan and they themselves had strong religious bonds uniting them. They argued that such bonds should be strong enough to withstand the strain of an Arab refusal to become involved in Indian-Pakistani problems. They were also aware of the strong feelings of friendship and support which existed amongst the mass of the people of Pakistan.

By the middle 1950's new problems emerged. Of these the Iraqi defection from the Arab League defence community to join a military pact which linked Turkey, Iran and Pakistan was foremost. Under Western encouragement a discernable attempt was made through this military pact to woo away from solidarity with Cairo such marginal Arab

countries as Jordan and (then) Syria. From 1955 onwards the Baghdad Pact became an instrument whose principal political objective in the Middle East appeared in the eyes of Cairo to be the isolation of Egypt from the rest of the Middle Eastern Arab community. It was inevitable under the circumstances that the Egyptian Government should feel a certain degree of suspicion with regard to the members of what was to them a NATO inspired organization seeking political positions in the Arab world and dedicated to a war against Arab unity. As a result, relations with the Government of Pakistan were far from cordial.

When in 1956 Egypt was the victim of the tripartite aggression the public reaction against Britain in Karachi, where the British Embassy was attacked, was watched with relief in Cairo, and the hope was expressed that eventually Pakistan might modify its official attitude so far as to make good relations possible between the two countries.

The barriers to this good relationship, however, were real ones. On the one hand Egypt, and subsequently the United Arab Republic, a leading nation professing policies of non-alignment, was closely associated in such policies with India, with whom she is linked by many solid bonds and common interests. On the other hand, Pakistan was a firm believer in collective security and in co-operation with the Western powers. Neither country was ready to lay aside these considerations. In the conflict between New Delhi and Karachi over Kashmir, the United Arab Republic maintained a steadfast neutrality. It needed a personality of the stature of Muhammad Ayyub Khan to place these considerations in their correct perspective. He was greatly assisted through a series of circumstances which in the final analysis gave Pakistan an opportunity to detach itself from the accusation of plotting against Arab unity. The most important event in this context was the Iraqi Revolution of July 1958. With Hashimite Iraq out of the way the Baghdad Pact became what it could have been in the first place, a purely local arrangement between non-Arab signatories, in which neither Cairo nor any other Arab capital need see a potential foe.

Another consideration resides in the fact that the third group policy of non-alignment has received international recognition as a respectable and necessary factor in the world political structure. In addition, as the cold war weapons slowly change their aspect from military to political and social forms, the significance of purely military arrangements fades and becomes less menacing.

Finally, the considerable thaw that has occurred in relations between India and Pakistan, the realization of mutual needs and mutual interests between these two countries has had the effect of removing from the path of Pakistani-United Arab Republic relations one of its most persistent bogies.

President Nasir's visit to Pakistan earlier this year was an event of considerable importance; for it marked the encounter of two countries which have more cause than many to be united. President Muhammad Ayyub Khan's return visit to Cairo consolidated still further a relationship which gives promise of great mutual advantage in the years to come.

¹ Dynasticism in the Islamic community with its sectarian supporters has always supplied the British imperialists with their most useful political instruments. The traditional processions through London of Muslim kings, sultans, emirs and shaykhs, where they are received by British royalty, is now closely identified with the colonialist process in Arab Nationalist eyes.



(GOD is the Light of the Heavens and the Earth)

II

THE TRIUMPH OF THE QUR'AN¹

Some teachings of the Qur'an not to be found in any other scripture

The names of various religions, excepting that of Islam, are not mentioned in the texts of their scriptures

by THE MAULANA SADR-UD-DIN

God gives sustenance to man, the innumerable birds and numerous other animals

Then there is an 'aalām of the birds. God has made rich jungles for these birds whose number is known to Him alone. Each variety of these birds presents us with a wide range of knowledge of its own excellences and peculiar habits. Birds of various hues and various kinds of fowls and peacocks impart indescribable charm to the jungles. People roaming in these jungles are filled with wonderment at the sight of each of these colourful birds and pheasants. And those who have no chance of visiting these jungles but see them in the zoo and in the museum, cannot help being impressed by the wonderful powers of God manifested in their creation. Needless to say that the creation of these birds is a clear indication of the wonderful knowledge and power of God. The manner in which He provides for the food of these creatures indicates His limitless range of favours on the creation. These birds have no place to store their food, they have no godowns. And yet watch one of them, going out with an empty stomach in the morning and coming back to its nest in the evening with its belly full of appropriate food. It is to this fact that our attention is drawn by the verse :

"And how many a living creature that does not carry its sustenance, God sustains it and yourself" (29 : 60).

This has been further elucidated by the Prophet in the following words :

"Had you but been able to trust in God to the desired extent, He would have provided you with your sustenance, just as He gives sustenance to the bird which goes out with an empty belly in the morning and returns with its belly full in the evening."

Similarly, there are countless types of animals in the jungles who live on vegetables. And numerous are the animals who live on flesh alone. They are created by God, Who makes adequate arrangements for their food. Never has any deficiency been noticed in the provisions of food for all these animals. That is why the Qur'án says :

"And there is no animal in the earth but on God is the sustenance of it" (11 : 6).

Again :

"And We have made it in means of subsistence for those whom you are not the suppliers" (15 : 20).

In other words, God undertakes to provide not only man with his sustenance, but also those numerous other animals whom man cannot feed. God provides food to all those animals whom man uses for his domestic needs and without whom he cannot do, such as, for example, the horses, the cows, the buffaloes, the camels, the sheep and

the goats, all of which are inextricably connected with his day-to-day life and have been created for his service. God has created food for all these various animals on an enormous scale. For some of these animals the mother earth produces fodder before it produces what is used by man for his food. Besides all this, just as He has created provisions for these animals that are to serve man, He has engaged the earth and the heavenly bodies and everything in the service of man. Thus the Qur'an says :

" And certainly We have established you in the earth and made in it means of sustenance for you ; little it is that you give thanks " (7 : 10).

As compared with the earth, the seas are enormously extensive in dimension and the creatures living in them must be naturally much more numerous. There are animals of enormous sizes living in them and various types of fishes as well. Who can count their varieties? Some fish have such a colourful surface on their bodies that they are as bewitching to the sight of man as are some exquisitely colourful birds in the jungles. Some of these fishes are of delicious taste, and in some is to be found oil that increases the vital force of man and removes many kinds of diseases from his body. We also find in these areas such precious things as amber and pearl which God has created for man in their bosom, in the same way as He has created on the peaks of mountains such deer as foster in their bodies that most sweet-smelling and invigorating precious thing we call musk.

In short, the clause *al-Hamdu lillahi Rabbi 'l-'Aalamin* is an eloquent expression for the beneficent unlimited powers of God wherein are indicated His attributes of perfection and endless favours as well as His supreme majesty. All this naturally is designed to give man an insight into His majestic existence, and it goes without saying that the chief object of religion is to enable man to acquire the real and correct knowledge about God and His attributes.

Humanity is itself an 'aalam

As I have already said, the word '*Aalamin*' used in the opening verse of the Qur'an comprises all the '*aalams*' that are to be found in the universe. One such '*aalam*' is the human race, and in itself every nation is also an '*aalam*'. Thus the Qur'an addresses the Israelites in the words :

" I made you excel the nations ('*Aalamin*) " (2 : 47).

This means that they have been given an excellence over all the nations of the world. Similarly addressing Mary, the mother of Jesus, the Book says :

" And He purified you and has chosen you above the women of the worlds " (3 : 41).

Speaking in another connection the Book says :

" But God is gracious to the creatures ('*Aalamin*) " (2 : 251).

Again :

" God does not desire any injustice to the creatures ('*Aalamin*) " (3 : 107).

Thus the clause *al-Hamdu lillahi Rabbi 'l-'Aalamin*, if it embraces on the one hand the whole of the creation, it also connotes the nations of the world on the other, and this with a view to free the minds of men from all kinds of narrowness and prejudice, and to inspire them to love the

members of all the other nations of the world. In a way this fulfils a great object of worship, because devotion to God remains incomplete without an expression of real sympathy for His creatures and of selfless service to be rendered for the promotion of their welfare.

In view of what I have stated in explaining the meaning of the verse in question, it is not at all difficult for a fair-minded person to see if the ideas and moral sense inculcated by the Qur'an can be found in other scriptures of the world. So far as my knowledge of the Vedas and the Torah and the Gospels goes, there is no trace of this kind of teaching in any of these books. What we find in them is the conception of a national or racial God, and that of a chosen and favoured race. The God in these books does not appear to have any concern for other races or nations, nor do His favours cross the boundaries of His favoured people, and reach other peoples of the world. In each of these scriptures one particular nation seems to be the heir to the blessings of God, and only one particular nation is selected for the enjoyment of spiritual bliss. In none of them God is conceived as *Rabb al-'Aalamin*. Jehovah is exclusively the God of the Israelites, who are his only favourite people. His blessings are meant only for the Israelites and so is salvation confined to them. The exhortations of Moses breathe the same spirit and so do the sermons of Jesus. None of these teachers of religion had any consideration for any other nation of the world, nor was their message meant for any people other than the Israelites.

The Hindus are the favourite race of Brahma, and they alone are to live in the land of Brahma, and all nations other than themselves are to be regarded as *malech* or unclean, deprived of the mercy of God, and to be treated as untouchables, and any kind of contact with them will make a Hindu impure and defiled.



The Maulana Sadr-ud-Din

In short, the very basic principle of Islam which is pronounced in the opening chapter of the Qur'án, and in its very first passage, is not to be met with in any other scripture of the world. The spirit permeating those other books is just the contrary of what we have seen of the Qur'án. The teachings of these books definitely tend to create exclusivism, narrow-mindedness and an injurious social outlook in the minds of their followers. They naturally go to sow the seed of mutual animosity in the minds of different nations inhabiting this world. In view of these undeniable facts a sensible man cannot say that the Qur'án has borrowed its teachings from the Torah or the Gospels or any other religious books of the world. The Qur'án, as a matter of fact, has announced its claim to be an unrivalled and unique book in the world, and it is now fourteen hundred years since it made this assertion as a challenge to its opponents. The words of the Book are :

"And if you are in doubt as to that which We have revealed to Our servant, then produce a chapter like it and call on your helpers besides God if you are truthful. But if you do (it) not and never shall you do (it), then be on your guard against the fire of which men and stones are the fuel, which is prepared for the unbelievers" (2 : 23-24).

None among the contemporary Jews and Christians could challenge the truth of this statement, nor has any member of these communities the courage to do so even now. If any one of these peoples has a mind to dispute this claim the easiest way for him would be to publish similar teachings from his own scripture, whether it be the Torah or the Gospels, which he thinks were already to be found in his books and which according to him were borrowed by the Prophet of Islam, so that the teachings that are so copied may be exposed in the light of their original. This simple fact will prove the correctness of the contention of the scholars and divines of Judaism and Christianity if only they are able to take this step. But, as it is, they shall never be prepared to do so. The reason is that the teachings of the Torah and the Gospels were meant for a particular period. They have not, therefore, that universality of application that has been the privilege of the Qur'anic teachings. Thus the allegation that the Qur'anic teachings have been borrowed from the Jewish and Christian scriptures is a mere fabrication designed for false propaganda, and has not even a modicum of truth in it.

The Qur'án addresses itself to all the nations of the world

It has to be seen now whether the principle announced by the Qur'án in its opening verse has been maintained throughout the Book. For example, if God is presented as *Rabb al-'Aalamin* in this opening verse, He quite evidently shows that grandeur of His beneficence in His dealings with men. We find for instance that the rain which He sends down from heaven out of His beneficence and which is the elementary need of human life is meant for all the peoples of the world, irrespective of race, clime and age. Similarly, His sun gives light to all the nations of the world without any distinction, and its heat goes to ripen the crops and imparts beauty to the gardens in an equal measure. On the physical plane all this is very evident. But is His dealing with man marked with the same impartiality on the spiritual plane? Does His spiritual ministration benefit equally all the nations of the world? Or is it reserved only for a particular age and

for a particular people? You will see that God, Who has proclaimed Himself as *Rabb al-'Aalamin* in the beginning, does not remain *Rabb al-Muslimin* with respect to the spiritual requirement of mankind in general. Let me quote what the Prophet himself has said in this connection :

"Prophets before me used to be sent exclusively to their respective nations, whereas I have been sent to all the peoples in general."

It is clear from this that in previous times every prophet was charged only with the education and training of his own nation. But the Prophet Muhammad was called upon by God to enlighten the whole of humanity. This jurisdiction of the Prophet is outlined in the following verse of the Qur'án :

"Say, O people, surely I am the Messenger of God to you all, of Him Whose is the kingdom of the heaven and the earth" (7 : 158).

In other words, the Prophet was asked by God to proclaim that he had been appointed by no less an authority than the King of the Heavens and the Earth, and that he is to act as His ambassador and Messenger sent to the whole human race. There is another announcement to the same effect :

"Blessed is He Who sent down the distinguished Book upon His servant that he may be a warner to all the nations" (25 : 1).

"And We have not sent you but as a mercy to (all) the nations" (21 : 107).

That is to say, the mission of the Prophet is to prove a mercy for all the nations of the world. Similarly the Book further announced :

"And We have not sent you but to the whole of the human race as a bearer of good news and as a warner" (34 : 28).

That is to say, the Prophet had been sent to bring together all the scattered sections of humanity and mould them into one nation.

It is evident from these verses that, if God is *Rabb al-'Aalamin* on the one hand, the Prophet Muhammad (peace and blessings of God be upon him!) has been sent with a message for all the nations of the world, on the other. Thus there is a full accord between the announcement that is to be found in the first verse of the Qur'án and all those other announcements that are to be found in the body of the Book.

The next question that naturally can arise in the mind of an enquirer is whether this spirit of universality is to be found in these statements that have been made in the Book regarding its own position. If one goes through the Qur'án with this enquiry in his mind he will find statements like the following :

"This revelation is from the *Rabb al-'Aalamin*."

Again :

"A reminder to the 'Aalamin."

That is to say, it is the Lord of nations Who has revealed the teachings of the Qur'án to the Prophet Muhammad, and the benefit of these teachings is not con-

fined to any particular age or any particular nation. Rather they are meant for the whole of humanity. Thus we read :

"And most surely it is an honoured Qur'án. In a book that is protected, none should touch it save the purified ones. A revelation by the Lord of all the nations ('aalamin)" (56 : 76-80).

Again :

"And this Qur'án is not such as could be forged by those besides God, but it is a verification of that which is before it, and a clear explanation of the book, there is no doubt in it from the Lord of all the nations" (Rabb al-'Aalamin)" (10 : 37).

Again :

"And you do not ask them for a reward for this, it is nothing but a reminder for all the mankind ('Aalamin)" (12 : 104).

"And it is naught but a reminder to all the nations" (68 : 82).

Why the universality peculiar to the Qur'án is not to be found in the previous scriptures

These verses of the Qur'án proclaim in the most unambiguous language that God is the Lord of the Worlds and of all the nations, and that the Prophet has been sent by this *Rabb al-'Aalamin*, and further that the Qur'án has been revealed by the same *Rabb al-'Aalamin*, Who has created and has been fostering all the nations of the world. It is clear, therefore, that the universality of outlook that characterizes the first passage of the Qur'án is maintained in all the concerned verses in the body of the Book. In extenuation of the scriptures revealed before the Qur'án it must, however, be said that this universality of outlook is not to be found in them, because the human mind was not yet fit to appreciate it. As we all know, all kinds of knowledge progress by degrees, and this is because the mind of man grows gradually. The revelation of knowledge has to depend on the development of the human mind. To cite a familiar example, the course of studies meant for the highest class in a school, cannot be intelligible for the students of the lowest class. Similarly, the course meant for the M.A. standard cannot be followed by the first-year students of a college. In the same manner the highly-evolved principles and doctrines concerning religion, will not be found to be suitable for the instruction of primitive humanity. When nations live in complete isolation from one another, it would be absurd to expect them to appreciate a religion which is of an international character. Naturally the conception that there should be, and in fact there is only one religion for the whole of mankind, was far above the level of man's understanding. Gradually, however, the nations of the world began to contact one another, and this contact increased with the passage of time, so much so that a time came when people of the world were in a mood to appreciate the idea of one God for all the nations of the world, and of only one Prophet coming from the universal God, and only one Book revealed from the same source. Quite obviously this kind of teaching could be given by the last member of the line of prophets who came at a time when people had become mature.

Today, the aeroplane and the radio have brought all the countries and nations of the world so close together that they look like one community. Quite naturally this is exactly the time for the preaching of an international religion,

and Islam is one such religion that claims to be of this type. Thus the Qur'án says :

"Say : O followers of the Book ! come to an equitable proposition between us and you that we shall not serve any but one God" (3 : 63).

That is to say, an invitation is extended to the followers of other scriptures to come and accept an agreed formula, namely, that the God Whom we are to worship is to be the one God who is the Creator and the Sustainer of us all, that the principle of the unity of God is enough to make us one community — that the religion which the Qur'án preaches is the religion of humanity. In short, the Prophet brought a religion that is universal in its scope and can unify all the nations of the world. This conception of religion, which is to be found in the Qur'án, is not to be met with either in the Vedas or in the Gospels or in the Torah. And if it be a fact, as indeed it is, it is nothing short of impudence and injustice to say about the teachings of the Qur'án that they have been plagiarized from the Torah and the Gospels.

Islam is a religion of nature

Man may live anywhere in the world, but his fundamental nature will be the same everywhere. Neither territories of the East nor those of the West can make any basic change in this nature. Neither the colour of skin nor the variety of language can produce any effect. Nor the difference of race and tribe can in any manner interfere with the uniformity of this nature. In fact the nature of man can in no way be altered under any circumstances. Thus we see that truthfulness and love for truth is the common heritage of all countries and of all nations. Everywhere and in every nation, dishonesty and falsehood are considered as hateful things, and man everywhere dislikes those who are dishonest. In every country and community the liars and the impostors are regarded as dishonourable ; they are punished for their offences. People everywhere hate the evil-doers and inflict on them proper penalties. People of every country and every community have stood in protest against the tyrants and have punished them for their tyranny. People everywhere have taken necessary action to prevent robbers from having their own way. Everywhere man has felt sympathy for the weak, and afforded them succour and protection.

Man in every part of the world and in all societies has rendered help to the destitute and the poor. Everywhere man has considered it an act of virtue to sacrifice his life for the sake of truth. In short, man by nature is inclined to love piety and virtue, and hate evil and unrighteousness. This being so, Islam, which is based on the natural urges of man, meets with appreciation and acceptability, wherever it is preached, because all its principles are rooted in the universal nature of man. That is why Islam stands on the firmest ground as a religion, responding to the needs of human nature, and that is why it has been called *Din Qayyim* in the Qur'án :

"Then set your face upright for religion in the right state. The nature made by God in which He has made men, there is no altering of God's creation ; that is the right religion (*Din Qayyim*) ; but most people do not know" (30 : 30).

All peoples of the world feel in their heart of hearts that it is bad to ruin oneself by gambling. Similarly, most of the people of the world feel that drinking is an evil, so much so that in World War I a proclamation went forth from the King of England that drinking in public should

not be allowed, and this announcement was hailed by all sections of the people. Why did the King make this announcement? Evidently it was a voice of nature, just as aversion for gambling is a voice of nature. The King wanted to save his people from the injurious effects of drinking. The Government of America also passed a law prohibiting drinking. This prohibition, however, did not prove effective, because the habits of the people had become too deep-rooted to be eradicated. The Prophet of Islam also found this habit firmly rooted in his nation, but one announcement from him against this habit found the whole nation, simultaneously, discarding this habit altogether. People smashed their wine-pots and the liquid flowed in the streets of Medina. Similarly, as a voice of nature, Islam made dishonesty of all kinds illegal, and eradicated this evil without leaving any trace of it in the national character of the Muslims. It prescribed severe punishments for fornication and established in the life of the nations a very high standard of sexual purity. It created a refined sense of sanctity for the life and property of man. Islam laid emphasis on charity and human sympathy as a part of religion. All these teachings, evidently, are in accord with the nature of man, and that is why this religion of nature enjoys a wide popularity. Western Christian missionaries who go to Africa for the spread of Christianity feel surprised to find that people are not much impressed with their preaching, in spite of their extensive knowledge and highly-developed civilization, and in spite of the fact that they have the support of their governments and enjoy various privileges. In sheer contrast with this faith of Christianity in the dark continent, Islam is found to spread there not through people who go there with this object but visit that land for business purposes. Christian missionaries should not feel surprised at such marvellous phenomena.

Al-Islam, the name of the religion the Qur'án preaches

The religion which the Qur'án preaches to the world has been called by God *al-Islam*, and this name is mentioned in the Book itself :

“ Surely the (true) religion with God is Islam ”
(3 : 18).

Again :

“ This day have I perfected for you your religion and completed favour on you and chosen for you Islam as a religion ” (5 : 3).

The word *Islam* means “ submission ”. Submission to the commandments of God constitutes Islam. To obey the laws that are at work in nature has also been called Islam. Both these meanings of the word are to be found embodied in the following verse :

“ Is it then other than God's religion that they seek to follow? And to Him submits whoever is in the heaven and earth, willingly or unwillingly, and to Him shall they be returned ” (3 : 82).

Here we are told of the reason of this submission, that since the whole universe is submitting to the laws of nature in their moment to moment existence, and such a submission is bringing to man nothing but blessing, it is only proper that man should also follow God's law. The Book then applauds the conduct of submission on the part of man in the following words :

“ And who has a better religion than he who sub-

mits himself entirely to God and he is the doer of good (to others) ? ” (4 : 125).

In plain paraphrase, he is the true follower of religion who employs all his powers and faculties in carrying out God's behests, and further devotes himself to the service of mankind by spending for the welfare of mankind all he has to seek the pleasure of God.

This verse, incidentally, reveals to us that the whole of nature implicitly obeys and works under the laws or commandments of God, and it is because of this obedience on the part of nature that man receives those numerous blessings of physical and spiritual existence to which he is an heir. It, therefore, behoves man that he should also subject himself to the guidance of his Creator and Benefactor in living his life on this earth, so that he in turn can prove to be a useful and beneficial creature.

Thus the word “ Islam ” has a very comprehensive and useful meaning embodied in it. It is so comprehensive indeed that we find it at work in the universe since it has come into existence. In this wide sense we may say that whenever and wherever a man has been born in this world, he has got this religion with him. This shows that the faith of Islam is above the limitations of space and time. This word, with its sublime significance, has imparted a new complexion and a new philosophy to the history of religion. It is indeed a great contribution to religious thought and religious feeling. As this religion is in tune with the nature of man, he readily and very easily recognizes it, and makes it his own. If you ask a Hindu or a Christian whether he also obeys the commandments of God, you will find him unhesitatingly reply, “ Yes, I do ”.

Can any Hindu or Jew or Christian claim that this unique word “ Islam ” has been borrowed by the Qur'án from some other books? If anyone is in doubt about it, he should produce this word or its equivalent in meaning from his own scripture. And he knows it for certain that he will not be able to produce any such word from his scripture. Thus if the Qur'ánic idea of God being *Rabb al-Aalamin*, and that of its scripture being a revelation from the *Rabb al-Aalamin*, and its messenger having been a messenger for ‘aalamin (for all the nations) is the conception of religion, it is enshrined in the word “ Islam ”, which is of universal application.

The names of various religions, excepting that of Islam, do not give us an idea of the inner spirit of the various religions

While discussing this question, we may also cast a glance on the various names which different religions have adopted for their respective systems. We have, for example, the Hindu religion. Quite obviously it has no very high meaning implied in it, because all that it signifies is that it is a religion of the Hindu race. Similarly, Buddhism means a religion founded by a man whose name was Buddha. This name does not give us the inner spirit of the fundamental principle of the religion in question. Buddhism never existed before the Buddha, and the question may be asked, What was the religion of humanity before the advent of Buddha?

Similarly, the word “ Christianity ” has nothing of that universality and comprehensiveness which characterizes the term “ Islam ”. It is obviously the religion of a man whom people called Christ. A Christian is one who follows in the footsteps of Christ, and this is a very narrow conception

indeed. One can understand a Christian following Christ, but whom did the Christ himself follow, and where did he get his religion from? In actual fact, Christ followed the instructions of God, and as such was a Muslim. To make the long story short, as compared to the meaning of the word "Islam" the names of the other religions do not possess any rational philosophy nor any emotional appeal in them. Nor can any of these other religions be regarded as the religion of the whole of humanity.

This name "Islam" is given to this religion by God, and it is mentioned in the text of the Qur'án. No other religion can claim a similar name for itself to be found in its own scripture, nor is its name given to it by God. All other names of religions are attributed not to God but to some man or to some country or nation, and as such they do not possess that universality which the word "Islam" denotes.

As I have already said, Islam is a religion of nature. In support of this assertion I can produce quite a number of verses from the Qur'án which speak of submission to the laws of God as the essence of religion. The word used for this idea is sometimes derived from the root *sajda* and sometimes from the root *aslama*, both meaning the same thing. Thus it is written :

"Do you not see that God is He to Whom obedience is shown by whosoever is in the heavens and whosoever is in the earth and the sun and the moon and the stars, and the mountains and the trees, and the animals, and many among mankind" (22 : 18).

This verse not only outlines the fact of the heaven and the earth obeying the laws of God, but also that of the obedience of the stones and the trees, and the sun and the moon, and the stars, as well as of the cattle and the men. We are also told that everything in the universe is in complete subjection to these laws excepting man, who sometimes acts in contravention of these laws. And this contravention is due to the fact that man has the freedom of action, and such freedom presupposes the changes of acting wrongly. But as for the sun and the moon, the stars, and the trees and the beasts and the birds, these are given no such choice in the matter. All of them have to show complete submission to these laws designed for them, because this has been reposed in their nature. As a matter of fact, such a choice

in the matter is not given even to the angels, about whom we are told :

"They do only what they are commanded to."

The choice between obedience and disobedience the privilege of man only

This choice between obedience and disobedience is the privilege of man only. Hence it is that by the proper use of his choice he can rise to a position higher than that of the angels and become the object of adoration by the latter. On the other hand a wrong use of this freedom may cause his downfall and make him as the devil, and even worse.

The Prophet Jesus and other prophets neither gave a name to their respective religions nor any title to their respective followers. As against this the Qur'án has given the name of Islam to the religion to be preached and the name Muslim to its followers ; and the greatest Muslim according to it is the Prophet Muhammad himself. Thus we read :

"Surely the (true) religion with God is Islam" (3 : 18).

"And I (i.e., the Prophet) am commanded that I should be of those who submit (*Muslimin*) . . ." (10:72).

"And this am I commanded, and I am the first of those who submit (*Muslimin*) . . ." (6 : 164).

"He (God) named you Muslims" (22 : 78).

"Surely the men who submit (*Muslim*) and the women who submit (*Muslimaat*) . . . God has prepared for them forgiveness and a mighty reward" (33 : 35).

"And bear witness that we are submitting ones (*Muslimun*)" (3 : 51).

"And to Him do we submit (*Muslimun*)" (3 : 83).

Not to speak of giving a name to the religion and to its followers, the other religions have failed to give any names to their respective scriptures. We do not find the name by which they are known having been mentioned in the texts of their scriptures. This shows that these scriptures are defective in many respects ; it would, therefore, be absurd to talk of the Qur'án having been in any way inspired by them.

1 For the first instalment of this article see *The Islamic Review* for November 1960.

**For all books published in Great Britain
on ISLAM, CHRISTIANITY, COMPARATIVE RELIGION, HISTORY,
PHILOSOPHY, LITERATURE, etc.**

and for all books which are reviewed in this journal... PLEASE APPLY TO

The Manager, The Islamic Review, Woking, Surrey, England

Please give the name of the book, its author and publisher, in full.

THE QUR'AN ON DIVORCE

Divorce: Three in one or three in three?

by A. S. K. JOOMMAL

The Qur'an defines the law of divorce very clearly

My task in this article is to present to my readers the law of the Qur'an with regard to divorce. The law of divorce is set out in the most lucid and unambiguous terms and it provides no difficulty whatsoever. The difficulty and complication that we find today is purely artificial. It is the result of the certain *mullahs'* intellectual gymnastics and pole-vaulting beyond the confines of clearly indicated laws.

"Of all lawful things," said the Prophet Muhammad (Peace be upon him!), "the most hated in the sight of God is divorce."¹ Unlike the Hindu and Roman Catholic religions where the matrimonial bond is indissoluble, Islam has provided its adherents with the outlet of divorce, if the married life of husband and wife becomes intolerable. It must be remembered that a Muslim is not free to exercise the right of divorce on the "slightest disgust". The law has put many limitations upon the exercise of this power. A Muslim is permitted to have recourse to divorce only if there is ample justification for such an extreme measure. The Qur'an expressly forbids a man to seek pretexts for divorcing his wife as long as she remains faithful and obedient to him. "If they obey you, then do not seek a way against them,"² says the Qur'an.

The law of divorce was clearly defined in the Qur'an because in pre-Islamic days the Arabs had used the custom of divorce as an instrument of torture. They were absolutely free to repudiate their wives whenever it suited their whim or purpose. They were not bound to offer any reasons for the exercise of this right. The wife was nothing more than a plaything and the mere expression of his will was enough to effect a separation. Sometimes the husband would revoke the divorce and again divorce her, and again take her back, only to divorce her again, and so on indefinitely. In most cases the wife spent her whole life in the house of her husband, remaining there deserted and in perpetual bondage. Such was the chaotic state of divorce in Arabia before the advent of the Prophet. He came as a mercy to mankind, and an even greater mercy and blessing to womankind when he brought clearly defined laws of divorce from the Almighty.

Islam discourages divorce in principle

Islam discourages divorce in principle and permits it only when it has become altogether impossible for the parties to live together in peace and harmony. It avoids, therefore, greater evil by choosing the lesser one and opens a way for the parties to seek agreeable companions and thus to accommodate themselves more comfortably in their new homes.

A careful study of the laws of the Qur'an which relate to marriage and divorce will show that the spirit of the verses unmistakably points to a prevention of divorce, and that everywhere a reconciliation is recommended in the most appealing terms. Before the parties proceed to the extremity of divorce for unavoidable reasons, it is expressly laid down that all lawful means be adopted for avoiding

a breach, and it is only in the event of their failure that a separation is permitted, of course, as a last resort.

The directions of the Qur'an in respect of the adoption of the courses that tend to make reconciliation possible are as explicit as they are full of wisdom. God hates divorce, though He has permitted it, but in His wisdom He has kept every possible avenue of reconciliation open. He does not want the husband to act hastily and then regret his action later. Before the final breach or divorce is embarked upon, a preliminary procedure has to be complied with. The verse in this connection runs as follows :

"Virtuous women are obedient, careful during the husband's absence, because God hath of them been careful. But those for whose refractoriness ye have cause to fear, chide (them); remove them into beds apart; and chastise them, but if they are obedient to you, then seek not a way against them: verily, God is High and Great. And if ye fear a breach between husband and wife, send a judge out of his family, and a judge out of her family: if they are desirous of agreement, God will effect a reconciliation between them; for God is Knowing and Apprised of all."³

The drift and tone of this verse points to the desirability of exercising the power of correction in three degrees: he may begin with a reprimand, if her conduct calls for such. Then, if she still remains rebellious, he may banish her from his bed for a few days. And if she goes to immodest extremes he may chastise her but not so as to cause her permanent injury. In the event of the failure of all these expedients, divorce still need not follow, because the Almighty has kept one last recourse open before the final rift, and this recourse is to arbitrators — one from his party, and one from her party. Is not this procedure to be followed, as directed by the Lord Almighty, both sagacious and logical? The arbitrators, after hearing both sides, shall endeavour by all possible means to bring about a reconciliation. If their efforts prove unsuccessful, they may grant a repudiation when empowered to do so.

The question which may be asked is this: Why did the Qur'an go to the extreme of asking the husband first to admonish his wife kindly, then, failing that, to separate himself from her from the marriage bed, and, failing that, to chastise her lightly, and, still failing that, to appoint a judge from his camp and one from her camp, when it could have been stated plainly that the husband must give three simultaneous *talaq*s — i.e. "I divorce you, I divorce you, I divorce you"? Why is a husband put into all that preliminary inconvenience before the first *talaq* (divorce)? Why did He have to bring in arbitrators to try and solve the couple's marital problems? Was the Almighty right in stipulating these preliminary conditions before the first *talaq* and our learned men wrong in validating these *talaq*s all in one and the same breath or on a piece of paper? Or, is the Almighty wrong and the *maulavis* right? Can we say that He is only wasting our time and imposing on our convenience by stipulating a month each after each

pronouncement of *talaaq*? Can we say that it would have been easier and simpler to sever the bonds of marriage in "one stroke" as one *maulavi* put it. Heavens alive! It is to teach the Almighty what is right and what He should have done!

The procedure of divorce as laid down in the Qur'an

I come now to the actual passages in the Qur'an where God has taught Muslims the actual procedure to adopt when divorcing:

"Divorce may be pronounced twice; then keep them in good fellowship or let them go with kindness."⁴

This verse must be read in conjunction with the following two verses:

- (1) "O Prophet! When you divorce women, divorce them for their prescribed period, and calculate the period; and keep your duty to God, your Lord. Turn them not out of their houses — nor should they themselves go forth — unless they commit an open indecency. And these are the limits of God."⁵
- (2) "And the divorced women should keep themselves in waiting for three courses. And it is not lawful for them to conceal that which God has created in their wombs, if they believe in God and the Last Day. And their husbands have a better right to take them back in the meanwhile if they wish for reconciliation."⁶

The meaning and intent of these verses is so clear that any elaboration or amplification would be superfluous. But I will enlarge on them all the same.

THE PURPOSE OF THE 'IDDAH

The final breaking off of marital relations is discouraged in many other ways and every chance is afforded to the parties to maintain the conjugal tie even after differences have arisen leading to divorce. Each pronouncement of divorce must be followed by a period of waiting called the 'iddah: "O Prophet! When you divorce women, divorce them for their 'iddah (i.e., prescribing or waiting time)." The 'iddah is about three months: "And the divorced women should keep themselves in waiting for three courses (*quru'*). A *qar'* (plural *quru'*) is the entering from the state of *tuhr* (cleanliness) into the state of menstruation. In normal cases it is about 4 weeks, but there are variations in the case of different women. In the case of women with irregular menstruation as well as those whose courses have stopped (e.g., women of 50 and over in whom menopause or change of life has set in), the 'iddah is three calendar months. In the case of pregnant women, the 'iddah is until delivery.

The purpose of the 'iddah is to afford the parties a chance of reconciliation. Though they are divorced, they still live in the same house, the husband being plainly told not to expel the wife from the house. This injunction clearly aims at restoring amicable relations between the parties and minimizing chances of the accentuation of differences. If there is any love in the union, its pangs would assert themselves during the period of waiting and bring about a reconciliation. In fact, reconciliation is recommended in plain words when, speaking of the 'iddah, the Qur'an says: "And their husbands have a better right to take them back in the meanwhile, if they wish for reconciliation."⁷

Every pronouncement of divorce is thus an experimental, temporary separation during its initial stages, and

by making the parties live together, every chance is afforded to them to re-establish conjugal relations. The specification, therefore, is that divorce may be pronounced twice. In the terminology of the jurists, this is called *talaaq raj'iyy*, or revocable divorce.

After the first divorce, the parties have the right to re-assert their conjugal relations within the period of waiting, and to re-marry after the waiting period is over. A similar right is given to them after a second divorce, but not after the a third. After the second *talaaq* the parties must make their choice either to live together as husband and wife for ever, or to separate for ever, never thinking of re-union. Hence if even the second experiment failed and the parties were separated by divorce for the third time, this is an irrevocable divorce, or *talaaq baa'in*, according to the jurists.

The sayings of the Prophet on divorce

So much for what the Qur'an says. The Hadith is no less explicit on the matter.

In a monthly publication from Delhi, *The Maulawi*, we read the following:

"Divorce cannot be pronounced while the woman is menstruating. The reason for this stipulation is that normal sexual relations between husband and wife are suspended for the time she undergoes her monthly course and sexual relations are commonly the basis of love and amity between husband and wife. It is possible that a couple may resume their normal attitude to each other and forget their quarrels when their sexual relations are restored after the period of menstruation.

"There is a tradition that 'Abdullah Ibn 'Umar divorced his wife when she was having her monthly period. His father reported the matter to the Prophet who became very upset and ordered that 'Abdullah should revoke his divorce and wait until his wife was clean, after which he was free to do as he liked.

"From the *Bukhari* (68 : 1) we learn that the Prophet told Ibn 'Umar to observe the following procedure in divorcing his wife: 'Ibn 'Umar,' said the Prophet, 'you adopted a wrong method. The right one is that you should wait for *tuhr*, then pronounce a divorce during one *tuhr* and another during the second. During the third *tuhr*, you should decide finally and either retain your wife or finally divorce her.'

The learned Editor of *The Maulawi* adds the following comment on the above quotation:

"From this we learn that to pronounce three divorces in one sitting is a grave religious sin, and is decidedly against the momentous teachings of the Shari'ah. By doing this the limits of God are transgressed — limits which we are strictly enjoined to honour in the Qur'an (vide the chapter on *Talaaq*)."

The reader will recall the Qur'anic verses earlier on wherein God has set out in detail the procedure to be adopted before the extreme measure of divorce is taken. Now the Prophet was a person who was qualified to understand the import of Qur'anic verses better than anybody else. He is reported to have said:

"Feed thy wife as thou feedest thyself, clothe her as thou clotheest thyself, strike her not on the face, separate not from her except within the house; but if she persists in her refractoriness . . . begin with admonitions, and awaken in her the fear of God the Most High; if she does not submit, banish her from

thy bed, and converse not with her for three days; if she still refuses to mend her manners, chastise her, but not so as to leave any mark on her person, as would be the case if a rod were used: for the object is to correct her, and not to destroy her. Should this course fail to mend matters, let the case be referred to two Muslim arbitrators, free and just, one chosen from the family of each of the parties; and they shall see whether in that particular case reconciliation is desirable; and their decision shall be binding upon them both" (*Bughyah al-Tálibéen* : Ch. Manners of Marriage).

Now what can be clearer than this? When both God and His Messenger enjoin the procedure in crystal clear terms why must certain Muslim theologians wilfully and stubbornly disregard it? Clearly, then, the pronouncement of three simultaneous *talaq*s has no basis in, and authority of, either the Qur'án or the Hadith.

In the *Sunan* of 'Abd al-Rahman Ibn al-Násá'i (Chapter 27, Verse 6) it is recorded that the Prophet had shown anger when it was brought to his notice that a certain person had pronounced three divorces together; and in the *Musnad* of the Imam Ahmad Ibn Hanbal, we find that the Prophet had declared such three divorces in one breath null and void. Further, in the *Musnad* of Hanbal we discover that until the time of the Caliph 'Umar, people used to pronounce three divorces together, but that they counted as a single divorce.

If a saying attributed to the Prophet gainsays the Qur'án, it must be rejected

The controversy that has been raging over the question of divorce is as pointless as it is harmful. The controversy stems from certain alleged traditions of the Prophet wherein he is supposed to have allowed three divorces in one sitting. It is reported that Ibn 'Umar asked the Prophet that, if he had pronounced three divorces on his wife, he could have revoked these simultaneous divorces. The Prophet replied in the negative but added that it would have been a great sin on his part. This and similar traditions recorded in the *Bukhári* and other books of traditions do the Prophet a grave injustice. They stultify him and cast the slur of inconsistency upon him. How is it possible that, after having become angry with Ibn 'Umar who pronounced three simultaneous *talaq*s, after having told him that such pronouncement was a *wrong* procedure, and after having shown him the correct method of divorcing, the Prophet still allowed three divorces in one single sitting.

In order to test the veracity and genuineness of a Hadith, certain canons or rules were evolved. A summary of these rules is given in the *Maqalah Naf'ah* by Shah 'Abdul 'Aziz. According to these rules, a reported Hadith was not accepted under any of the following circumstances:

- (1) If it was opposed to recognized facts.
- (2) If the reporter was a Shi'ah and the Hadith was of the nature of an accusation against the Companions of the Prophet, or if the reporter was a Khárijí and the Hadith was of the nature of an accusation against a member of the Prophet's family. If, however, such a report was corroborated by independent testimony, it was accepted.
- (3) If it was of such a nature that to know it and act upon it was incumbent upon all, and it was reported by a single man.
- (4) If the time and the circumstances of its narration contained evidence of its forgery.

- (5) If it was against *reason* or against the *plain teaching of Islam*.
- (6) If it mentioned an incident which, had it happened, would have been known to and reported by large numbers, while as a matter of fact that incident was not reported by anyone except that particular reporter.
- (7) If the subject-matter or words were unsound or not in consonance with Arabic idiom, or the subject-matter was unbecoming the Prophet's dignity.
- (8) If it contained threats of heavy punishment for ordinary sins or promises of mighty reward for slight good deeds.
- (9) If it spoke of the reward of prophets and messengers to the doer of good.
- (10) If the narrator confessed that he fabricated the report.

In addition to the above canons of criticism which are comprehensive and all-embracing, there is yet another test which must be applied to verify the genuineness of a given Hadith. The application of this test is commanded by no less a personage than the Prophet himself: "There will be narrators," he is reported to have said, "reporting Hadith from me, so judge by the Qur'án; if a report agrees with the Qur'án, accept it; otherwise, reject it."

What greater authority than the Prophet himself can one hope for in rejecting these three simultaneous *talaq*s that have been masquerading as the Sayings of the Prophet? The three *talaq*s are so directly opposed to, and so completely in disagreement with, the Qur'án, that we would be infringing the Sunnah of the Prophet if we did not reject them *in toto*.

In the *Mishkát al-Masábih* (1:6-iii) we come across the following saying of the Prophet: "My sayings do not abrogate the Word of God, but the Word of God can abrogate my sayings."

God Himself says in the Qur'án that the Prophet does not follow anything except that which is revealed to him⁸ and as not disobeying a word of that which revealed to him.⁹ It is absolutely clear, then, that if there is anything in Hadith which is not in agreement with the Qur'án, it could not have proceeded from the Prophet and hence must be rejected.

One *maulavi* once argued in the following strain: "It is admitted that the Qur'án has shown us the correct method and procedure to be followed when divorcing, but to take the example of cooking vegetables: it does not matter whether one methodically cuts the onions first, then mixes it with the spices, then puts in the meat, etc., or if one just mixes the meat, onions, spices, oil, etc., all in one and puts the pot on the fire. The vegetables will be cooked all the same." Apparently the *maulavi* thought that his analogy of vegetables and divorce was an irrefutable argument. What he did not realize was that divorce is a terribly serious business, and is *not* like cooking vegetables at all! The Almighty knows everything, that is why He has asked the quarrelling parties to appoint arbitrators who would first determine "what's cooking" before they decide that "every-thing has gone to pots" and no reconciliation is possible!

Three divorces in one sitting, therefore, is a result of *speculative* theology. This procedure is totally foreign to the teachings of the Qur'án and the Hadith. It is therefore morally wrong, it is religiously wrong, it is practically wrong, and it is juridically wrong.

I have been told sometimes that although this practice of three simultaneous *talaaqs* is definitely wrong and sinful according to the teachings of the Qur'án, nothing can be done about it. Why not? It is maintained that since the last 1,300 years there has been a steady stream of great jurisconsults, but no one ventured to depart from this accepted practice. This is no argument. If our forefathers and their forefathers did not right a wrong, that does not mean that we must not rectify the error.

Modern scholars on the three talaaqs in one sitting

MAZHARUDDIN SIDDIQI

In his book *Women in Islam*, Mazharuddin Siddiqi writes as follows under the rubric of "divorce":

"Most jurists hold that a divorce takes effect if it is pronounced three times, even at a single sitting. But the Imam Hanbal and the Imam Ibn Taymiyah reject this opinion and regard as one pronouncement three declarations of divorce delivered at a single sitting, so that separation does not come off at the end of three such declarations, but only when they are separated each by an interval of one month. There are strong grounds for supporting the stand taken by Hanbal and the Imam Ibn Taymiyah. In the first place, it is obvious that the intention of the law in prescribing three pronouncements of divorce separated by fixed intervals of time precedent to final separation was to leave open the opportunity of reconciliation. This intention is defeated by recognizing three pronouncements delivered at a single sitting as having the effect of final separation. Secondly, there is evidence to show that the companions of the Prophet regarded this form of divorce as being morally reprehensible and involving the person responsible in great religious sin. It is recorded that 'Umar, the Second Caliph, used to punish such persons who pronounced three divorces at a single sitting. Ibn 'Abbas, another companion of the Prophet, was asked about a person who divorced his wife in a single sitting. He said: 'The man was guilty of disobedience to Divine commands.' 'Ali is reported to have said: 'If the people faithfully observed the conditions of divorce, no one would feel sorry for the separation of his wife.' In the face of this strong evidence, it is strange that the majority of jurists should have recognized the legal validity of an act which has been universally condemned as being highly sinful and which obviously defeats the law-giver's intention. The law-makers of modern Muslim communities should not be bound by the legal decisions of old jurists but should boldly carry out the intention of the original Islamic law."

MUHAMMAD 'ALI

The *Maulana* Muhammad 'Ali, in his book, *The Religion of Islam*, says:

"This form of divorce (i.e. three divorces in one single sitting) takes away the freedom to re-unite which the Qur'án has conferred upon the two parties, and they are, therefore, against the teachings of the Qur'án and must be discarded. The revocable divorce of the Qur'án cannot be made irrevocable, as by this change, a death-blow is dealt to the beneficial spirit underlying the institution of divorce in Islam. Hence, whether divorce is pronounced once or thrice or a hundred times, it is only a single divorce, and it is revocable during the waiting period."

The Editor of the *East African Times*, Nairobi, says in the issue of 1st August 1960:

"Our view on the subject is that *talaaq* to be irrevocable must be pronounced thrice in three months. Briefly, if three pronouncements in one breath had been sufficient, the Qur'anic verse that *talaaq* should be twice followed by reconciliation or final divorce, becomes meaningless."

In spite of all this overwhelming evidence from the Qur'án, from the Hadith and from erudite scholars, what right have some of the *maulavis* to say that three simultaneous divorces are valid? The Qur'án is against it. The Hadith clearly deprecates it. Who is right: God and His Messenger, or these *maulavis*?

Conclusion

The Qur'án is the only criterion and the highest authority in all matters. The law of the Qur'án is as indisputable as it is irrefragable. Only when no adequate explanation is to be found in the Qur'án should one go to the Hadith, and if one fails to obtain clarification from the Hadith as well, then and only then should the four Imams and other jurists be resorted to — but not before that. The Law of God is so sacrosanct and so immutable that even the Prophet had no right whatsoever of interpreting it in any other way than that intended and signified by the verses. And, of course, he did no such thing, for he clearly said: "My sayings do not abrogate the Word of God, but the Word of God can abrogate my sayings". We all know that the sayings of the Prophet are in complete harmony with the letter and spirit of the Qur'án — for according to his wife 'A'ishah, the Prophet was the living embodiment of the Qur'án.

Divorce among Muslims is becoming far too frequent these days, due to the influence of Western culture, and the modern Muslim is being aided and abetted in this by the facility of three quick *talaaqs* afforded to him by the *mullahs*. Non-Muslims, particularly Christians hostile to Islam, laugh at this so-called Islamic law of divorce, saying that a Muslim can put away his wife at the "slightest disgust". What a reflection on true Islam!

It is high time that the right-thinking 'Ulema said categorically that the prevalent custom of three quick divorces was wrong, un-Islamic and sinful. They must issue a decree (*fatwa*) on this point making it a religious sin and crime for any person to repudiate his wife with three *talaaqs* in one breath or by writing it on a piece of paper — as so many Muslims have been doing and are still doing. Divorce, to be legal and valid, must strictly follow the specification of the Qur'án. Any other form of divorce in conflict with that of the Qur'án must be outlawed. If the 'Ulema do this, they will render true Islam an undying service, and will endear themselves eternally to the hearts of the tongueless women of Islam who have no say in this matter and whose husbands, under the influence of alcohol or in an uncontrollable rage, repudiate them in "one stroke".

1 Abu Dawud, *Kitab al-Sunan* 13 : 3.

2 The Qur'án 4 : 33.

3 Ibid., 4 : 33-34.

4 2 : 229.

5 65 : 1.

6 2 : 228.

7 2 : 228.

8 6 : 50 ; 7 : 203 ; 46 : 9.

9 6 : 15 ; 10 : 15.

THE ARAB NATION¹

What the Prophet and his followers planned was not an Arab Nation but one Muslim Nation

The future of the Arabs

by 'ABD AL-RAHMAN 'AZZAM

For thousands of years the nomads of Arabia continued uninterruptedly to intermix with peoples of the Nile Valley, North Africa and Mesopotamia

The Arab nation has its roots deep in human history. They can be traced to the most obscure beginnings. It is thought by some eminent historians that the Nile Valley received emigrants from the forests and grazing lands in North Africa after the end of the Glacial period when the climate changed and the hunting man found in the forests and lakes of the Nile Valley what he needed. However true this may be, I am sure that the immigration into Egypt of Nomads from North Africa has never ceased until today.

The Nile Valley has been called the cradle of civilization. It is still, to the nomadic Berber and later to North African Arabs, the eternal haven, where they can always be sure of two things — food and peace.

For thousands of years, Egypt "*Jenanatu Allahi fi Ardihī*", as the Muslims later called it (the chosen spot of God on earth) continued to attract its neighbours, whether Semites or Hamites.

Today in the Nile Valley, which is still a melting-pot, for reasons to be explained later, we have the basic breed of the modern Arab nation. I mean by modern, in this sense, the last thousand years. In North Africa a similar human melting-pot was, in the meantime, preparing the cross-breed for the future Arab nation, while a third process was at work towards the same object in Western Asia. The steppes of Arabia, it is said, had also dried up in pre-historic times, and its people took to emigration in several directions, to Mesopotamia, and possibly to the Yemen and Hadramawt in the south. How much truth lies in the theory of the North Arabian paradise turning into a barren desert is uncertain. But one thing is certain, and is borne out by historical evidence, namely, that the nomads of Arabia continued uninterruptedly during several thousand years to infiltrate and inter-mix with their neighbours between the Euphrates and the Nile. Peacefully and steadily the Arabs expanded their trade and pasture, but occasionally violence was resorted to whenever there were urgent needs caused by either famine, long periods of drought or other serious troubles, usually resulting from tribal wars and feuds. Here and there in Egypt, or in what we now call the Fertile Crescent, they forcefully established themselves into kingdoms of petty States, forgetting in time their Arab origin or what has come to be called Semitic stock.



His Excellency Dr. 'Abd al-Rahman 'Azzam

The advent of Islam in Arabia accelerated the process of expansion of the adjoining lands

For thousands of years, States and dynasties rose and fell. Kings and Emperors, Menas, Hammurabies, Thahotmos, Sargons and Hannibals came and went. But the eternal flow of the nomadic Arabians into the plains of Mesopotamia, Syria and the Nile Valley never ceased. In the case of North Africa they approached it by land as well as by sea. Then came the great revolution. An Arabian prophet was born. The process of spreading out and Arabization was accelerated a hundredfold. The rise of the great prophet of monotheism, the man who was most faithful to the divine mission entrusted to him, was the sign of the rising times.

It was no longer the hungry Arabian nomads in search of food or shelter. It was the nomad and city dwellers of Arabia who moved in mass migration to settle in neighbouring lands and to serve God, the Compassionate, the Merciful. In the course of this outburst, a new martial spirit, a culture, a mode of life, and a Muslim nation, were born.

The last great prophet was an Arab, who belonged to a great tribe. Nothing was more distasteful to him than to glorify his tribe or race, because in Islam there was no room for discrimination whatsoever, on account of either colour, language or race. According to the Prophet's creed, his followers should live in the service of the one "God of the Universe". "You are one nation and I am your God to worship," says the Qur'an. And therefore what the Prophet and his followers planned was not an Arab nation, but one Muslim nation living under one God and one law. It was this nation that endured for thirteen centuries after the rise of Islam. From the seventh to the twentieth century, Arabs, Turks, Iranians, Afghans, Indians, Indonesians, Berbers, Chinese, Europeans and Africans had one citizenship. They were all considered Muslim citizens, irrespective of their origin or the form of local government under which they lived. They had one loyalty and one permanent devotion to the Muslim nation, since in spite of the break-up of the Caliphate into several States, Muslims continued to live under the *Shari'ah* (Islamic law), from which all citizens derived equal rights and duties applicable wherever they happened to be.

THE APPEARANCE OF THE NEW DOCTRINE OF NATIONALISM IN ARAB-MUSLIM COUNTRIES DUE TO EUROPEAN CONQUERORS

Thus it can be seen that the main object of the Islamic mission was the creation of an Islamic nation and not of an

Arab nation. Those people who were Arabized were only a by-product of Arab influence. The coming into being of an Arab nation was never planned or intended by the Arabian Prophet or his followers. And this by-product nation, curiously enough, was never seriously conscious of its ethnic or cultural existence until it was aroused to the new doctrine of nationalism by its European conquerors. Later it was convenient for the Arabs, and in certain cases even necessary, to use it as an instrument of defence against those conquerors.

The process of Arabization followed the progress of Islam almost immediately in what is now the Arab world. The Arabic language became the language of the new Empire, and being also that of the Qur'an, it was viewed by all Muslims as the eternal language on earth, and may even be that of paradise. Even those Christians and Jews who did not themselves speak Arabic realized the importance of the language of the Islamic Empire. Thus they encouraged their children to use it, and in time they also were Arabized.

This process continued for several centuries. Even when the Arab Empire was broken up, the tempo of Arabization gathered momentum in a manner unrelated to the State. It was during the 10th and 11th centuries, as a consequence of the rise of the Karamitah in Eastern and Northern Arabia and their conquest of Mecca, that mass emigration from Arabia was set in motion and later headed towards Africa. The Karamitah movement, with its Communistic and revolutionary tendencies, developed into a malignant growth in the body of the Islamic Empire. "In this movement," according to an eminent historian, "the ancient feud between the native peasantry and the sons of the desert evidently found expression." Big tribes were involved in its rise and fall, and some had to move in tens of thousands to the north and west.

Again, when things did not go well in Tunisia and the rest of their North African domain for the Fatimid Caliphs of Egypt, they sought to suppress this insurrection not by troops alone but by encouraging mass emigration of Arab tribes recently settled in Egypt. Under the banners of the famous tribes of the Banu Hilal and Banu Solam, the Arabs moved westward in very large numbers, and in the course of time they, to a large extent, brought about the Arabization of North Africa. This is a long story, the events of which lasted for several centuries, beginning with the 11th century. I may add, however, that this tide later turned in the opposite direction, when Western Arabs, together with Arabized Berbers, moved towards Egypt and even Syria. The old pre-Islamic phenomenon recurred — immigration into the Nile Valley from the west for food and shelter. I have had many personal occasions to observe the spread-out and movement of nomad Arabs over thousands of miles. I have been able to trace the movement of these tribes to remote regions in the Sudan and North Africa. I myself, for various other reasons, roamed like them for years over the great stretches of what we now call the Arab World.

A personal story to show how the Arabs spread out over the Islamic world

With your indulgence, and perhaps to amuse you a little, I would like to tell you of an incident which occurred in 1937. I was then a guest of the renowned Shaykh of Shammer in Mesopotamia. Driving from Sinjar to Haddar, the scene of historic clashes between the Romans and the

Persians, I noticed two bedouin Arabs alone in that wilderness. Upon approaching them, accompanied by Shaykh Agail's son, I asked them who they were. They said, "We are of al-Husoon". I said, "Are you sure?" "Positively," was the reply. At that point I ventured to say, "Then you are raiders and thieves". They were naturally upset. I then went on to say, "Shall I tell you why? I knew al-Husoons in Upper Egypt, I knew them in Cyrenaica, I knew them in Tripoli. I have heard of them in the Fezzan and across the Sahara in the vicinity of Lake Chad. They are camel thieves and long-distance raiders everywhere. Why should you be different?" Though my accusation was by pure inference, I was later assured that I was not wrong in my assumption. I must admit, however, that in fighting the British and Italians and after World War I, 'Abdul Aat al-Jarm, of the same al-Husoon tribe, and his followers displayed exemplary heroism. Although he had formerly indulged in many raids and much violence, yet following the Italian invasion of Libya he turned to piety and dedicated himself to the cause of freedom. Before his death in the Battle of Misrata, he donated half his possessions to the poor.

The Shaykh was typical of Arab nomads who advanced the process of Arabization in the remote parts of Africa, by trading and raiding, even when the Arab Empire existed no more. These same Arab nomads are still cross-breeding today with other people in Africa. They are instrumental in spreading Arab traditions and chivalry in the remote stretches of that continent. Peoples of all colour and background have been attracted by Arab culture and the Arab way of life. They carry with them the great divine message of the Prophet of Arabia, which transcends all bars of race or colour.

I could go on telling you stories for hours about the Arabs and how they spread out over the Islamic world. Suffice it to say that in the Fertile Crescent, with bases in Damascus and Baghdad, the glorious Arab Empires under the Caliphates of the Umayyads and Abbasids lasted for centuries, long enough to Arabize a variety of ethnic groups in the area, including those who came down from the Eastern or Northern highlands. The Arabs who ventured further east, in Iran, Turkistan, etc., and settled in great numbers there, were eventually absorbed in the Muslim population of these areas. On the other hand, matters were different in Africa, where the Arabs retained their characteristics and Arabized a miscellany of other races. My explanation is that here in Africa the Arabs felt at home. They were in their old melting-pot following the footsteps of their ancestors. Their racial and cultural affinity may explain the complete Arabization of Egypt, the Sudan, and North Africa. It may even explain Arab history in Spain, where they lasted longer than anywhere else in the empire, outside the Arab world itself. This particularly applies to Andalusia, where their kinsmen, the Carthaginians, had previously settled for centuries.

All nations are a mixture of races and cultures. The Arabs are no exception. In order to help clarify this, I proposed to a select few Arab thinkers, meeting in Baghdad some twenty-five years ago, at the time when Nazi racialist theories were attracting increasing attention, a certain definition of Arabism, as opposed to racialism. This definition ran as follows: "Those who live in Arab lands, speak the Arabic language, live an Arab way of life and feel proud of being Arab, are Arabs." This definition was later accepted by the Conference that drew up the Pact of the League of Arab States in 1945.

The shift from the concept of a Muslim nation to modern Arab nationalism

Now let us deal with modern Arab nationalism, a concept of relatively recent origin.

Before the turn of the present century, the old Arab nation was not conscious of the modern ideas of nationalism. These Western ideas flourished in Europe and never had much appeal to the rich, human and universal culture of Islam. In Europe itself the ideas of nationalism have only developed in modern times. The Germans and Russians, for instance, did not develop nationalistic patriotism until late in the 19th century. Peoples were concerned with loyalty only to kings, emperors or leaders. Patriotism was tribal and not national.

Among the Arabs, the Egyptians were perhaps the first people to adopt the new creed of nationalism and to think and behave as patriotic Egyptians. The Napoleonic invasion of Egypt in 1798 was an aftermath of the French Revolution. While militarily the invasions failed, yet the ideas for which the French Revolution stood remained.

All through the 19th century, Egypt was attracted by everything that Paris produced. Along this pattern, the doctrine of nationalism became popular in Egypt. But this was also due to the fact that Egypt had special circumstances of her own. She has always had an identity of her own, with her highly-developed civilization marked by long isolation within her own definite frontiers. This nationalistic trend was further accelerated by the fact that Egypt's new ruler, Muhammad 'Ali, who was himself of Albanian origin, needed a base of operations and for establishing a dynasty of his own.

In 1866 Egypt had its first parliament, and in 1880 the 'Urabi national movement, which was essentially a popular revolt, took place. When the British intervened and crushed that revolt, it was too late to set the clock back. Egyptian nationalism and patriotism were already deeply rooted. In 1919, Egypt revolted again, but this time Egyptians — Muslims, Christians and Jews alike — fraternized and used their mosques, churches and synagogues as common patriotic national platforms.

THE DEFEAT OF TURKEY IN THE FIRST WORLD WAR STIMULATED THE GROWTH OF ARAB NATIONALISM

Elsewhere in the Arab world things were different. There the old order prevailed. Of course, signs of patriotism were noticeable here and there. The Arab national revolt of 1916, directed by the late King Husayn, the Sharif of Mecca, was only one of the symptoms in a changing Arab world. Arabism as such was not yet a popular creed, even in Arabia itself. The loyalty of the Arabs to the Muslim nation was superior to every other loyalty. It was not the revolt in Mecca against the Ottoman Turk that gave birth to Arabism. On the contrary, it was the defeat that befell the Turks in World War I that awakened the Arabs and stimulated Arab nationalism, which thenceforth became an instrument of resistance. The frustration encountered by the Muslims in Arab and other lands as a result of the collapse of the last Islamic Empire was another important factor which stimulated Arab nationalism and, indeed, other national movements in other Islamic lands.

To the Muslims this defeat was calamitous. All Islamic countries fell under colonial control in one way or another. Muslims, dedicated to their freedom and their dignity as they had always been, were unwilling to accept the humiliation of foreign rule. Thus in nationalism they saw a means of salvation.

During this stage of their history, the Arabs were well aware that one of the victorious nations, namely the United States of America, was neither grasping nor had any colonial designs. Indeed, the 14 points enunciated by Woodrow Wilson, and in particular the principles of self-determination, worked like magic amongst all Muslims everywhere. My memory of that era is still very vivid. I was involved in its troubles, and, in fact, I personally participated in the fighting in Tripolitania. When Turkey signed the armistice, she ordered us to surrender to the nearest Allied force. But having realized that freedom for Tripolitania was not forthcoming, we immediately decided to continue the resistance. In November 1918 we lowered the Ottoman flag, replaced it by a new one, declared the independence of the Republic of Tripolitania, and notified the world of the coming into being of the new Republic. Thus a new Arab State was born, a modern republic, the first of its kind in a Muslim world still despondent and frustrated. After having fought for over five years for the new Republic I returned to Egypt. The late father of the present Ambassador of Libya to the United States, Dr. Mohieddine Fekini, was among the heroes of those days. So was his father-in-law. The Libyan people heroically continued their struggle for freedom until 1930. Ambassador Fekini himself was born during the retreat in the Fezzan.

This is only one manifestation illustrating the shift from the concept of a Muslim nation to modern nationalism. It was only in the twenties of this century that Arab nationalism together with other Muslim national movements was born.

The Arab League

In the meantime, Egyptian nationalism was making victorious strides. The British were ultimately forced to recognize Egyptian independence. Of all Arab lands, only Syria and Iraq supported the idea of Arab unity. In Egypt, local nationalism was deeply rooted, especially as it had already won some notable victories. That is why it took many years of preaching before Egypt became convinced of the broader new faith of Arab nationalism and Arab unity.

As for the Arabian Peninsula itself, and the Arabs of Africa, the old Muslim loyalties remained. It was only shortly before World War II that victory for Arab unity loomed on the horizon. Egypt was then undergoing a vital change in thinking and attitude. This trend was given further impetus as a result of Zionist designs against Arab Palestine. During the war, for propaganda purposes, both the Allies and the Axis Powers felt it necessary and useful to flirt with Arab national unity. By radio, press and private approaches both expressed their sympathy and support for Arab unity. This explains Mr. (now Sir) Anthony Eden's declaration which initiated the conferences that culminated in the Pact of the League of Arab States in 1945. With this event Arabism became an article of faith for all Arabs from the Atlantic on the West to the Persian Gulf in the East, and the Arab League has since become its instrument of expression.

Since the birth of the Arab League the course of Arab nationalism and Arab unity was served by friends and foes alike. Victories and defeats have stimulated development and furthered the education of the Arab masses in the art of working together. The Arabs have already learnt to feel as one people and to behave as citizens of one great nation, the Arab nation. They may differ over ways and means towards certain goals, forms of government, or forms of unity. But ultimately, the will of the Arab people will have to prevail. To them unity means survival.

The future of the Arabs

I am often asked by my American friends, what next? What will be the immediate future of the Arabs from now, say, until the end of the century? My life experience forbids me from making any predictions. The changes that have taken place within the last forty years should be a good lesson for any sane person never to venture into the future. With your indulgence, however, I shall now make some speculations. Who knows, perhaps by the end of the century the world may be totally different from what it is now. The underfed peoples may have found plenty to eat from the depths of the oceans, or may be living on chemical products from wood or oil. It may also be possible that there will be no one left to worry about. New weapons and bacteria may exterminate the human race. This is, of course, unimaginable. God will not permit that. I suppose, therefore, that peace will prevail until the end of the century. The changes then are that all developed and under-developed countries will continue to advance and will by then have overcome their basic material problems. The Arabs will be no exception. I anticipate that they will become one of the highly industrialized nations of the world. Mass production and consumption will become the order of the day in Arab lands. In numbers, they may equal by then the United States of America today. Egypt alone, with its present high birthrate, will become 50,000,000 by the year 2000. The Arab nation will approach 200,000,000.

Education in all Arab lands will continue to be a primary objective. In the Egyptian region of the United Arab Republic there are now about 90,000 men and women studying at the University level. In Su'udi Arabia, which, ten years ago, had only one modern school, there are now hundreds of modern schools in every town, village and nomadic camp. A modern university exists in Riyadh, and hundreds of Su'udi students study abroad. All this education is offered free of charge. Over 2,000 teachers and professors recruited from the Arab world are now active in Su'udi Arabia.

I have made reference only to these two Arab lands, because they represent two extremes in the Arab society of today. In the former, the public education system is a hundred years old. In the latter, it was materially impossible for the Government to start even ten years ago. One can foresee the inevitable results of mass education, sanitation, urbanization and industrialization. It is therefore expected that by the end of the century the Arab nation will have attained a level equal to that of the other big nations of the world, particularly on the material level.

AKHNATON, ABRAHAM, MOSES, JESUS AND MUHAMMAD WERE ARABS

During the coming decade the Arabs will be facing a tremendous challenge. They will continue to guard their hard-won independence in the face of complex forces operating from various directions. They will not accept the humiliation of a satellite status to either East or West, but they will learn from both. Their heritage, their interest and their pride require them to have their own distinctive ideology. They will further develop their own rich culture in the true spirit of the revelations of their ancestors. They will develop their tolerant human approach, and will continue to live up to their heritage. They will have no problems of race, religion, colour or ideology to contend with.

In the course of the history of mankind, the ancestors of the present Arab nation gave everlasting messages to people of all races and colours. Divine messages rose in

their midst, and they were leaders of civilization for nearly 3,000 years. Will history repeat itself? This is the question. The four great teachers of monotheism, with its ethical and moral principles, were born there, and they preached their religions there. Akhnaton and Moses were Egyptians, Jesus and Muhammad were Arabian born.¹ Akhnaton, the Pharaoh of Egypt, and Emperor of Syria, Nubia, Libya and the Eastern Mediterranean islands, preferred not to defend his empire which flourished in the 15th century before Christ, because of his humane principles and his faith in the oneness of God. Historically, Akhnaton is supposed to have been the first man to preach monotheism and its moral principles. However, I am not forgetting our forefather, Abraham. I entertain a firm conviction, acquired through diversified readings, that the old patriarch was an Arab, and a nomad of Arabia too. Tradition also tells us that his elder son, Isma'il, was the father of the Northern Arabs, and that his mother, Hagar, was an Egyptian, and the Egyptians were a noble race. I do not see, therefore, how Isma'il, the elder son of Abraham, was disinherited just because of his mother. I do not know that the Arabians, or to us a modern word, the Semites, ever gave that importance to the maternal side, to disinherit their worthy children. I do not mean to create here another problem. I suppose we already have enough of them.

The Arabs have never been tempted to consider themselves a master race

It is indeed a source of great gratification that the Arabs have never been tempted in the past or in the present to consider themselves a master race or a chosen people. I hope the Arab nation will continue to follow the moral steps of their early forefathers and live up to what the old Egyptians called "Maat", the way of justice and truth, and what the Muslims now call *al-sirat al-Mustaqim*, the straight path. Only by this can they aspire to play a leading moral role in this world, where spiritual values are engaged in a battle for survival with materialistic atheism.

These are mere speculations. The Arabs of today certainly share with all other nations the virtues and vices of the present age, and the wisdom and foolishness of the human race. This is an age of interdependence. Through the various mass media of communication, the world is too small to allow any form of isolation. Material development, mass production and consumption are the paramount objectives of everybody. The Arabs cannot escape this destiny. They are like anybody in the East or West, working towards higher standards of living, and dreaming of grandeur and material prosperity. The present Arab national movement may only be setting the stage for something greater, perhaps for the birth of a new culture. I was told years ago that the German philosopher and historian Oswald Spengler, upon entering a coffee-house in Munich some time in 1920 where Egyptian and Arab exiles met, said to a companion, "Look," pointing to the young Arabs, "here is the future." If Spengler's conception and his interpretation of history are true, then history may repeat itself and we may expect a birth of a new culture and a new civilization in the Middle East.

Power and money are the dream of the many. Tolerance, justice and truth are the privilege of the few. Since my younger days, more than forty years ago, I have been hoping and preaching that greatness awaits the Arab nation. I have not lost my faith.

1 Being the text of a talk delivered at the 14th Annual Conference of the Middle East Institute, Washington, D.C.

IRAQ IN EARLY ISLAMIC TIMES

II

A brief description of some monuments at Baghdad, Ukhaydhir and Mosul

By NAJI AL-ASIL

The monuments at Baghdad

Samurra¹ owes its excellent preservation in part to the shortness of its existence as a capital city, for, only 50 years after its foundation, it was abandoned and the Caliphs returned to Baghdad, which remained their capital until the fall of the Abbasid Dynasty before the Mongol invasions of the 13th century. Some imposing monuments of this later period remain in modern Baghdad, including a charming building known as the Abbasid Palace. It is richly decorated with ornamented bricks arranged into pendants and squinches inside cupolas. Its high, cool vaulted rooms and lovely *iwaan* have now been restored by the Department of Antiquities and house an important collection of Islamic *objets d'art*.

THE MUSTANSIRIYYAH

One of the great colleges for which Baghdad was famous has also survived, and after a chequered history has also been restored as a public monument. It is known as the Mustansiriyyah, after its founder the Caliph al-Mustansir, by whom it was built in 1232 C.E.; it was reputed to have cost 70,000 dinars, and to have had an endowment of a million more. Its two-storeyed façade, with a fine late Arabic inscription, can be seen on the river-front just below al-Ma'mun Bridge. It originally contained four law schools, representing the four orthodox schools of Islam, together with a magnificent library, as well as its own kitchens, baths and hospital. It probably owed its survival after the disastrous siege of Baghdad in 1258, when so many of the great Abbasid buildings were destroyed, to the fact that Hulagu Khan, the Mongol conqueror, ordered the chief scholars and notables of the city to meet him there. Another monument of the period, and the only vestige of the ancient walls of Baghdad, is the Bab al-Wastani, or Middle Gate, on the east side of the city; it also has been restored and is now used as an Arms Museum. This gate in Abbasid times was the head of the road that ran across the highlands of Persia to the Province of Khorasaan, the highway that may be regarded as the main artery of the Abbasid empire. Indeed, Abbasid administration in its great days challenged comparison with anything the Middle East has ever seen. Its territories were spanned by a network of roads, radiating first from the Round City and then from the later capital on the eastern bank; these roads were provided with bridges, large *khans* or inns at distances of a day's march, and posting



Several industries flourished at the end of the Abbasid period. Here is a large pottery jar decorated in the Barbotine style with figures and geometric designs.

stations where the official mail could change horses and couriers. The Caliphs maintained and extended the canal systems that had brought wealth to Iraq since the dawn of history, and the enormous revenues of which we see evidence on their princely buildings were the product of good organization and, in the main, wise government.

Monuments at Mosul

In the last two centuries of their existence the grip of the Abbasids on their empire loosened, and this weakness had one notable effect on the cultural history of Iraq — the rise of an independent dynasty, the Atabegs, in the north, and the consequent rebirth of Mosul as a great city, the heir to Nineveh. The Atabegs in their heyday controlled the northern plains from the Zagros Mountains to the Mediterranean, and they too were great patrons of the arts, especially architecture. Many examples of their work, in

Continued on page 24

¹ For the first instalment of this article see *The Islamic Review* for November 1960.

IRAQ IN EARL

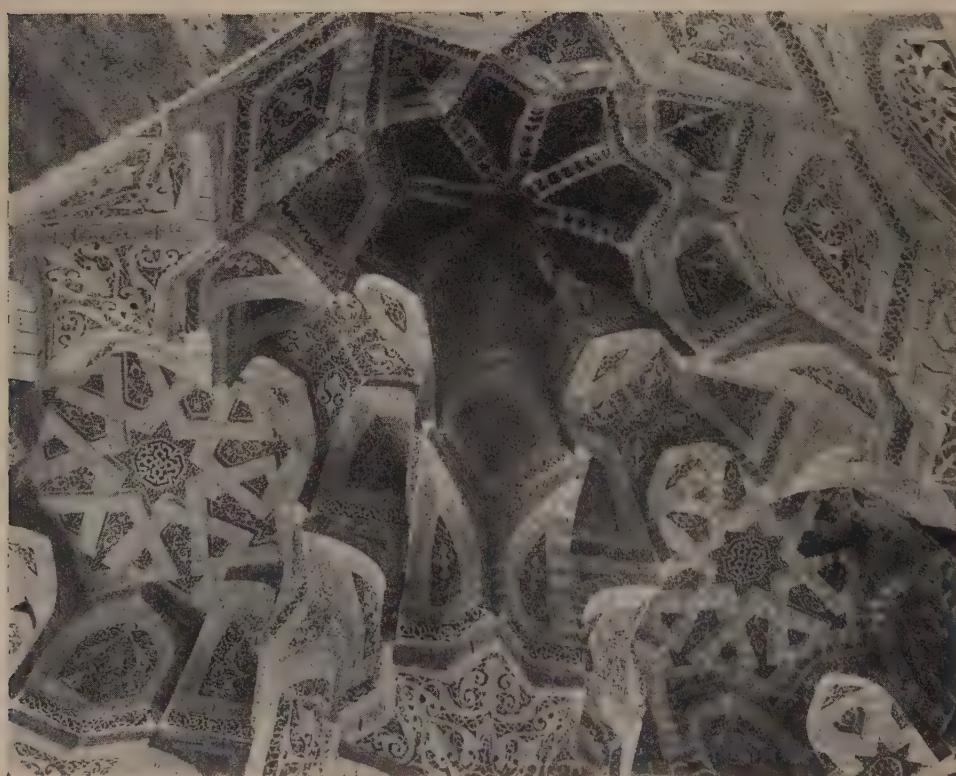
Some monume

BAGHDAD



Above — The shrine of the Shaykh Ma'ruf at Baghdad can probably be ascribed to a Karkh nobleman of that name who died in 815 C.E.

BAGHDAD



Right — The minaret of the Great Mosque in Mosul, built in 1172 C.E., is a superb example of Atabeg decorative brickwork

Left — The Abbasid Palace at Baghdad is richly decorated with ornamented bricks arranged into pendants and squinches inside cupolas. Its high, cool, vaulted rooms and lovely iwan have now been restored by the Department of Antiquities and house an important collection of Islamic objets d'art

BAGHDAD



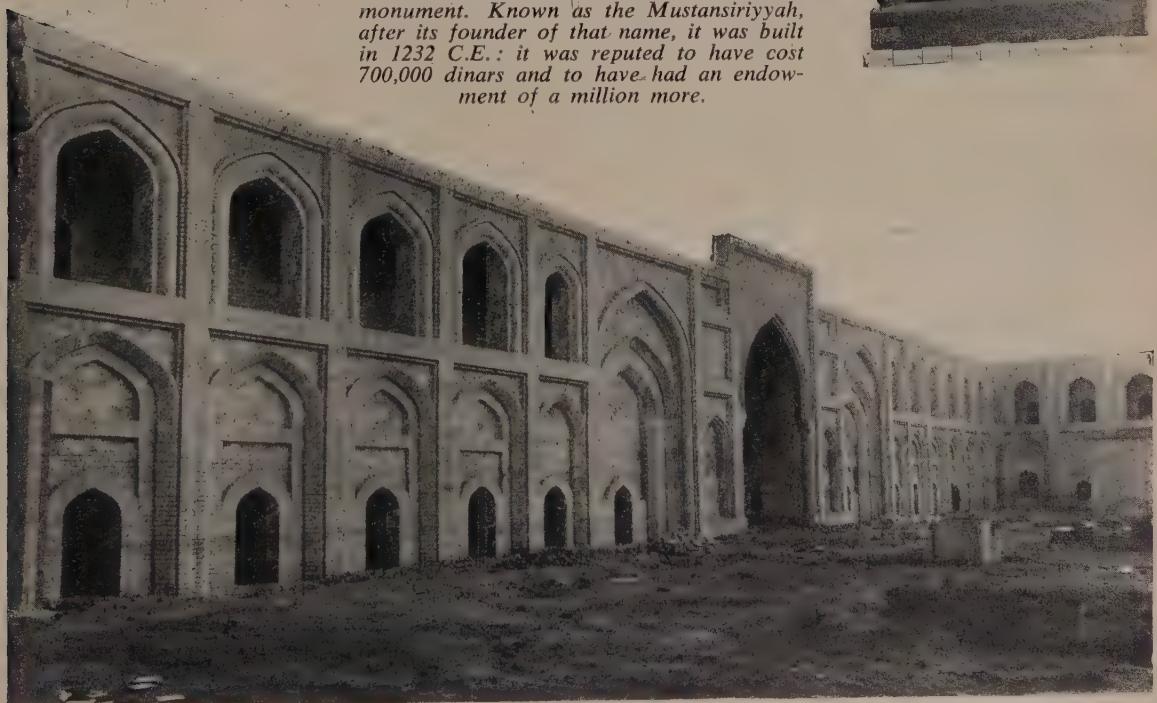
ISLAMIC TIMES

BAGHDAD and Mosul



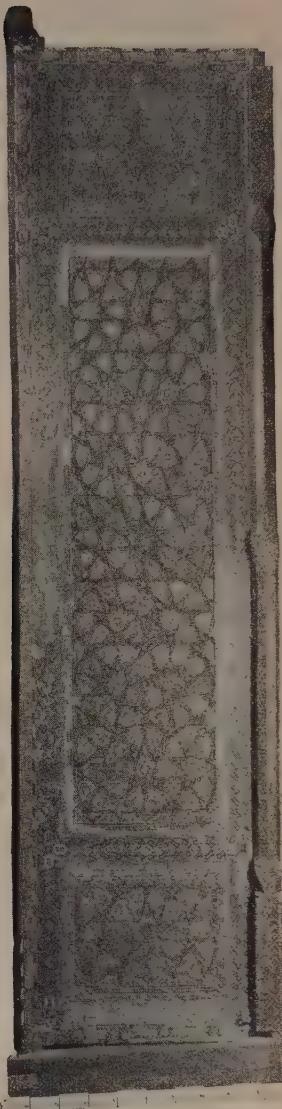
BAGHDAD

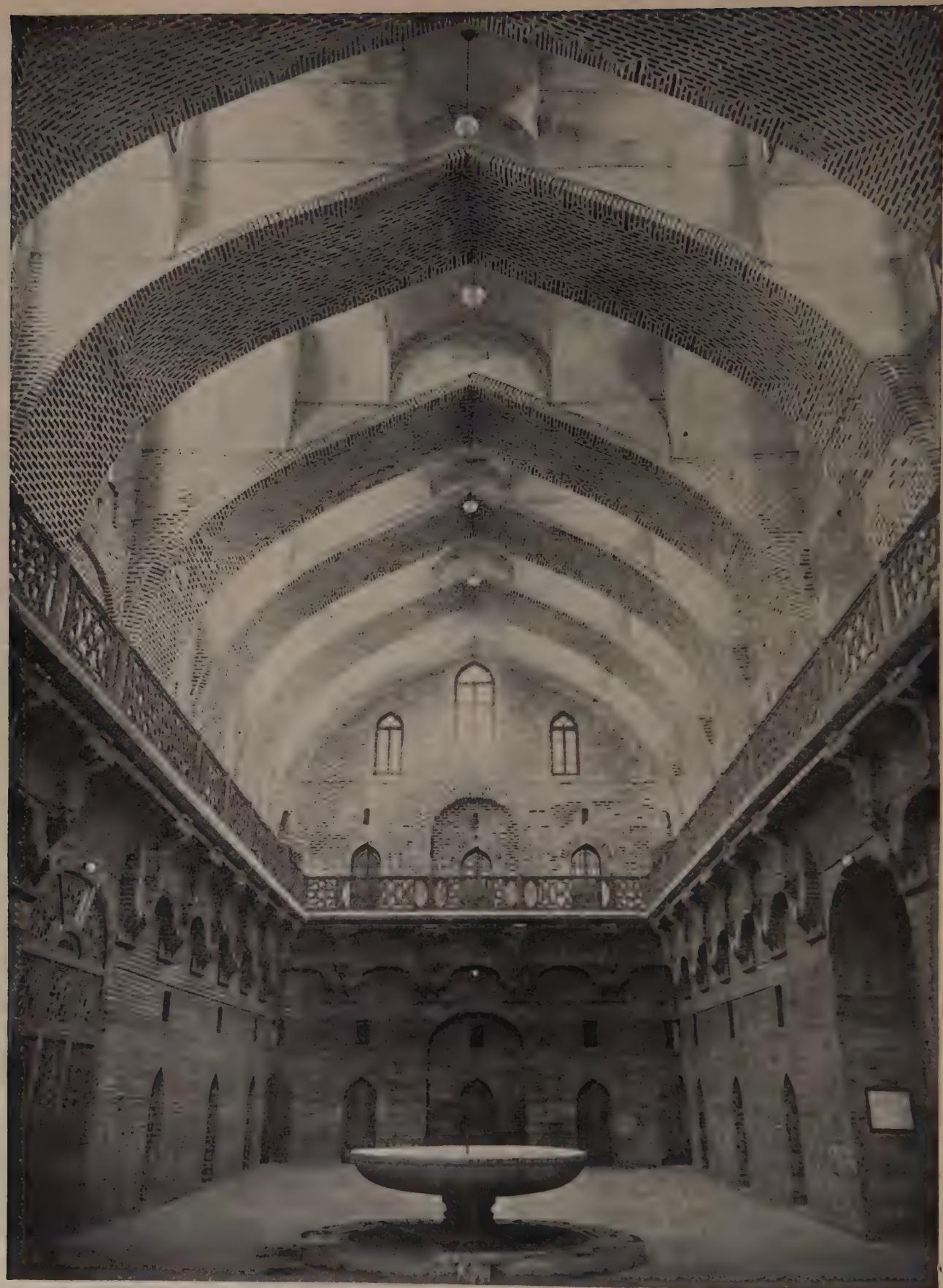
Below — One of the great colleges for which Baghdad was famous has also survived and has been restored as a public monument. Known as the Mustansiriyyah, after its founder of that name, it was built in 1232 C.E.: it was reputed to have cost 700,000 dinars and to have had an endowment of a million more.



BAGHDAD

Right — A wooden door meticulously decorated with inlays of ivory in Arabesque style which could be seen in the brick ornaments of al-Mustansiriyyah and the Abbasid Palace at Baghdad





The Khan Marjan, an excellent example of 14th century architecture



A jar in fine glass found at the residence of the Caliph al-Mustasim (833-842 C.E.) at Samurraa'

SAMURRAA'

Below — A dish in glazed ware decorated with polychromic splashes in the style of Chinese Tong glazed pottery found in the residence of the Caliph al-Mustasim (833-842 C.E.) at Samurraa'.





ZAKHO (Northern Iraq)



Above — The outstanding monument of the 8th century C.E. is the fortress palace of Ukhaydhir, 30 miles south-west of Karbala, whose isolation, and the dry desert climate, make it one of the best preserved and most imposing antiquities in Iraq

(Continued from page 19)

brick and in the native marble and limestone of Northern Iraq, are to be found in Mosul itself. The minaret of the Great Mosque built by Nur al-Din Zangi in 1172 C.E. is a superb example of Atabeg decorative brickwork.

The Khan Marjan at Baghdad is an excellent example of 14th century architecture

Many bridges and *khans* on the roads of the north bear witness that the Atabegs, too, realized the importance of communications for prosperity and firm government. The bridge at Zakho, on the highway running north from Mosul into Anatolia, is typical of their work, and we have an excellent example of the carving of the period on the doorway of the great *khan* on the Sinjar Road whose inscription records its erection by the last of the Atabeg line, Badr al-Din Lu'lū', who reigned from 1234 to 1258 C.E. The ruins

of the palace of Badr al-Din may still be seen on the bank of the Tigris in Mosul, a short distance below the citadel. He fell, as did his contemporary the Caliph al-Mustansir, in Baghdad before the savage onslaught of Hulagu, and Iraq north and south came under the barbarous dominion of a Mongol dynasty. This was the virtual end of independence and prosperity, though occasional buildings in Baghdad bear witness to the piety of an alien Governor or an Ottoman Sultan. The Khan Marjan is an excellent example of 14th century architecture, built as part of the endowment of the nearby mosque and college by Marjan II-Khanid, Governor of Baghdad in 1356 C.E. But in general it may be said that the original inspiration of the peoples of Mesopotamia, which had contributed so much to so many periods of history, lay dormant under the foreign yoke; and we make no apology for closing our account of Iraq's early history with the fall of her native Caliphate.

Left — Many bridges and khans on the roads of the north bear witness to the Atabegs' appreciation of the importance of communications. This bridge at Zakho is typical of their work

THE QUR'AN AND THE SUNNAH—THE TWO MAIN SOURCES OF LEGISLATION IN ISLAM

Out of 6,000 verses of the Qur'an, not more than 200 deal with laying down the law

The basis of Islamic law is a divine basis and in theory the power of making laws rests with God and God alone

by AFZAL IQBAL

The position of law amongst the Arabs before Islam

Before Islam the Arabs of the Hijaz were wandering bedouins with no organized government. They started as tribes; when the number of tribes increased they were divided into sub-tribes and were identified by the names of the branches and families comprising a tribe. The only connection which bound members of the same tribe to each other was that of blood. Those who came from the same stock or, thought that they did, comprised a tribe, and came to have, both individually and collectively, the right of defence against another tribe. While this obligation devolved on the whole tribe, it was the responsibility of an individual to participate in common defence and submit loyally to the traditions governing the customs of a tribe. Each tribe had its own shaykh or chief who was the symbol of sovereignty. This sovereignty was bestowed on him by the members of the tribe and did not accrue to him as a hereditary right, although the birth of an individual in the house of a chief weighed considerably in his election to the leadership of the tribe. The other factors were his age and his wisdom in managing the affairs of the tribe which he headed. The shaykh represented the tribe in its external relations with other tribes. His only source of strength was the public opinion in his own tribe because he had no standing army or any other executive organization to carry out his administration.

A tribe differed from another in its traditions and customs. The difference was almost invariably in proportion to the degree of nomadism. Each tribe, in addition to the supreme chief, had a judge who settled cases referred to him in accordance with the traditions of the tribe. In arriving at a decision, however, he often used his own judgment, and that is where his reputation was considerably affected by his personal experience and wisdom. The institution of the judge was, however, neither universal nor sacrosanct. The bedouins sometimes took a case to a judge, sometimes to a diviner, and at other occasions to somebody else who was known for his personal wisdom. Nevertheless, the institution did exist, although it was not binding on any member of the tribe to take a case to a judge. Even where cases were referred to him the judgment was not binding on the parties that referred a dispute to the judge. There were no hard and fast rules about the jurisdiction of this court nor did it have any executive authority. The only source it looked to for an implementation of its ruling was the public opinion in the tribe which made it difficult for any member to override or

ignore the judgment pronounced by a judge in a given case. These judges had no written law to guide them nor was there any unwritten code of well-established conventions. They depended mostly on the traditions and customs of their tribe, which were founded partly on experience and partly on beliefs and superstitions inherited from Judaism.

The influence of the tribal chiefs on pre-Islamic Arabs

We read of numerous conflicts between chiefs of different tribes where we find the quarrel being ultimately referred to a third person who acts as a judge. He could be more properly called an arbitrator because the two conflicting parties agreed to choose a judge and in doing so their willingness to abide by his decision was implied. The litigants were not, however, obliged to appear before a judge, whose prestige depended mostly on his reputation for wisdom and his knowledge of the history and the lineage of the tribe for which he acted as a judge. Al-Buhtari tells us of a criminal case a little before the appearance of Islam. A man from the Banu Hashim, a branch of the Quraysh, was employed as a camel driver by a man from another branch of the Quraysh. While the camel driver was passing by on business somebody else from the Banu Hashim asked him for the loan of a rope to fasten the saddle girth of his camel. The Hashimi camel driver lent his fellow Hashimi the shackle rope of one of his camels. On his return the employer of the Hashimi camel driver questioned him about the missing rope. In the arguments that followed the employer struck the camel driver a fatal blow with a stick and left him dying. Before, however, the camel driver breathed his last he managed to find a passer-by from the Yemen whom he charged with the task of telling the story of his death to Abu Talib, the head of the Banu Hashim. The employer of the camel driver was sent for by the chief. At first he denied the charge, but Abu Talib firmly told him, "You have killed one of us. I give you three alternatives; either give us one hundred head of camels, or let fifty persons from your tribe swear on oath that you did not kill the camel driver. In case you refuse either of these alternatives, the only course left to us is to kill you." This story shows the influence exercised by the tribal chief over the affairs of the tribe. It also shows that in a given case recourse could be taken to more than one legal remedy.

The administration of justice differed from tribe to tribe in accordance with the degree of civilization attained by

it. Mecca, before Islam, had attained a fair degree of progress in administration, part of which was the maintenance of justice.¹ Different administrative duties were distributed among ten leading men from ten different sub-tribes. Among these was the maintenance of justice, which was entrusted, before Islam, to Abu Bakr. He was in charge of what was called al-Ashnaq, which means blood money, penalties and compensation. The alliance of Fudhul signified the agreement of a number of sub-tribes of the Quraysh, who agreed that neither an alien nor a citizen would be wronged in Mecca irrespective of his status as a free man or a slave. In the case of a man being wronged in violation of this agreement the tribe pledged itself to back the aggrieved party and secure justice for him even though it meant payment from their own property. Similarly the tribal laws in Medina before Islam were relatively more progressive because of the presence there of the Jews, who had with them the Torah and the commentary which contained numerous laws and judgments. The Arabs in Medina before Islam were so to say more or less subject to the Jewish code.

With the dawn of Islam the pre-Islamic laws of the Arabs came to be recognized in some cases and were modified in others. The law of what is called *al-Qusamah* was recognized by Islam. This law meant that a person who committed a murder was given a choice between one or more alternatives, as we have seen in the criminal case which was referred to Abu Talib. Muslim and al-Nasa'i quote a Companion stating that the Prophet retained this law after careful consideration and passed a verdict according to this law in a case between al-Ansar and the Jews of Khaybar. On the other hand Islam modified certain parts of the pre-Islamic code relating to the Hajj, marriage, divorce, dowry, etc. It also abolished the system of adoption practised before Islam, as also the custom of selling things by the throwing of a stone. We will have to go into great details if we start discussing the rules adopted by Islam and those modified by it. This is a vast subject and we do not propose to deal with it here.

After Muhammad declared himself a prophet, he lived for fourteen years in Mecca and ten in Medina. The ten years after the migration to Medina are the constructive period where legislation in Islam is concerned. During these ten years previous laws were promulgated by the Qur'an and a large body of the Hadith, in explanation of the laws of the Qur'an, became available. These two sources, the Qur'an and the Sunnah, were the main sources of legislation in Islam.

I The Qur'an

The Qur'an was not revealed at one given moment to the Prophet. It was revealed in parts over a period covering some twenty-three years. About two-thirds of the Qur'an was revealed in Mecca and about one-third in Medina. A careful perusal of the verses revealed in Mecca would establish that during this period hardly any legislation — civil, criminal or personal law — was promulgated. This part of the Qur'an is addressed primarily to the principles of religion and lays down clearly and firmly the principal tenets of the faith. It inculcates moral virtues like justice, charity, gratitude, observance of promise, and fear of God. In brief it lays down the moral code for a chaste life. On the negative side it prohibits murder, adultery, the burying alive of daughters born in a family, the breaking of promises, cheating in weights and measures and associating any power with God, whose unity is overwhelmingly stressed. Even

the basic institutions of prayer and the Zakat have not been mentioned in any considerable detail in this period. The implications of the Zakat or charity during the Meccan period were nothing more than merely spending one's money in helping the needy and the poor. The details about the amounts which should be given or the regulations regarding its disposal were given later in Medina, where most of the legislation was evolved for a society which had settled down to peace.

In the case of prayers no details were worked out during the period of Mecca, for the number of times a Muslim has to pray was not laid down at that time. Perhaps the most detailed Surah of the Qur'an in connection with religious teaching during this period is *al-An'am*. Legislation governing civil affairs like sale and purchase, renting and hiring and usury, criminal affairs like theft or murder, and personal affairs like marriage and divorce, was promulgated after the Prophet had left for Medina. The best illustration in our opinion is the revelation of the two Medina chapters, *al-Baqara* and *al-Nisaa'*, which deal in great detail with the subject of legislation in different fields. The fundamental principles of religion had to be emphasized over and over again during the period of the Prophet's stay in Mecca, for in that early phase of Islam the principles were more important than details of religious law, which was later to be covered by legislation in Medina. The detailed laws could naturally not be drawn before the State came into existence. The Muslim State did not come into existence till after the Prophet's migration to Medina.

Not more than 200 verses deal with the laying down of the law

There are not many mandatory verses in the Qur'an. In all the Qur'an comprises about 6,000 verses, of which not more than about 200 deal with laying down the law. In fact the jurists tend to exaggerate inasmuch as they include many verses and individual words in their sphere, whereas strictly speaking they do not lend themselves to any derivation of rules if one reads them in their proper context. For example some jurists consider the word *Ash-had* as a form of legal oath taking. This is not necessarily so, as the word occurs in a number of different contexts at different places in the Qur'an. Take for example the following verse :

“ When the Hypocrites
Come to thee, they say :
We bear witness (that thou)
Art indeed the Messenger
Of God. Yea, God
Knoweth that thou art
Indeed His Messenger,
And God heareth witness
That the hypocrites are
Indeed liars ” (43 : 1).

The following verse, for example, could not, in our opinion, be included under those which lay down the law in a mandatory form, and yet they have been included in that category by a large number of jurists. They deal with the flesh of horses, mules and donkeys, which, it is said, are meant for riding and not for eating :

“ And (has created) horses,
Mules and donkeys, for you
To ride and use for show
And has created (other) things
Of which ye have no knowledge ” (16 : 8).

In the following verse the virtues of prayer and sacrifice are stressed and no rules as such have been laid down. All the examples given by us belong to the Meccan period, and to these examples could be added many more. Including such verses among those as deal with the subject of legislation will be merely stretching the point a little too far.

“ To thee have we
Granted the fount
(Of abundance)
Therefore to thy Lord
Turn in Prayer
And sacrifice ” (108 : 1-2).

The most fundamental object of the Qur'an is to establish the principles of Islam

We have to contend with the fact that in the compilation of the Qur'an neither the chronology of the revelation of a particular verse nor the unity of the subject it deals with has been considered as the guiding factors in arranging the place given to them. We do not, for example, find verses on one subject at one place except very rarely, as in the case of verses relating to inheritance and divorce. The most fundamental object of the Qur'an was clearly to establish the principles of Islam, and as such stress was naturally not laid on the details of law. The legislative purpose followed the establishment of the basic laws of morality, which have been stressed time and again. Even the few law-making verses that we come across during the period of Mecca do not seek so much to lay the details of law as to emphasize the fundamental morality which Islam sought to command to the pagan Arabs. The following verses revealed in Mecca are, we believe, a clear illustration of our point :

“ O ye who believe !
Intoxicants and gambling,
(Dedication of) stones,
And (divination) by (arrows),
Are an abomination,
Of Satan's handiwork !
Eschew such (abomination),
That yet ye may prosper.

“ Satan's plan is (but)
To excite enmity and hatred
Between you, with intoxicants
And gambling and hinder you
From the remembrance
Of God and from prayer
Will ye not abstain?

“ Obey God, and obey the Messenger,
And beware (of evil) :
If ye do turn back
Know ye that it is
Our Messenger's duty
To proclaim (the Message)
In the clearest manner ” (5 : 93-95).

The law embodied in the Qur'an revealed according to the problems confronting the Muslim Community from time to time

It must be emphasized, even to the extent of boredom, that the Qur'an was not revealed in its entirety at one time. It follows, therefore, that the law embodied in the Qur'an was not revealed at one particular occasion. On the contrary, the verses which lay down the law were revealed according to the practical problems confronting the community from time to time. Take for example the verses about the rights of the orphans to their property. A definite case was referred to the Prophet, who was asked for a ruling. A man from the tribe of Ghatafan had in his custody a large property belonging to his nephew, who had become an orphan. When the nephew came of age he claimed his property, but the uncle refused to hand it over to him. This was the occasion for the revelation of the following verses which lays down the law on the subject :

“ To orphans restore their property
(When they reach their age),
Nor substitute (your) worthless things
(For their) good ones, and devour not
Their substance (by mixing it up)
With your own. For this is
Indeed a great sin ” (4 : 2).

Take again another instance of a serious case being referred to the Prophet in respect of the rights of the widows. Here it will be necessary to recall the prevalent custom before and in the early days of Islam about the treatment meted out to widows. When a man died, leaving a widow, the son and successor of the deceased from another wife would throw his garment on the widow. This signified his right to marry her or to give her in marriage to somebody else in lieu of a dowry for himself. The successor often used to force the widow to part with her inheritance in his favour ; and he was always in a position to influence a course of action favourable to himself. If the widow offered any resistance he maltreated her and refused to confer freedom on her till she died, when he automatically inherited property left by her.

According to this established custom one Abu Qays Ibn al-Aslat al-Ansari died and left his wife Kubayshah a widow. His son from another wife, and his successor, covered the step-mother with his garment in accordance with the prevailing tradition. He neither married her nor supported her nor freed her. The only course open to her under these circumstances was to part with whatever she had inherited in order to buy her freedom. She came to the Prophet and complained about the treatment meted out to her by her stepson. He advised her to wait till the word of God decided the case. The women of Medina were intimately interested and waited in a deputation on the Prophet, urging him to come to the rescue of women who had been subjected so mercilessly to humiliating treatment. The following verses revealed in this particular case became the law on the subject :

“ O ye who believe !
Ye are forbidden to inherit
Women against their will
Nor should ye treat them
With harshness, that ye may
Take away part of the dower

Ye have given them — except
When they have been guilty
Of open lewdness :
On the contrary live with them
On a footing of kindness and equity " (4 : 9).

During the Medina period the Muslims followed the pre-Islamic tradition until specifically changed by Islam

The incident of Kubayshah establishes that even during the period of Medina the Muslims used to follow the pre-Islamic tradition until such time as it was specifically changed or altered by Islam. We are told that some of the Muslims, during the period of Medina, preferred to take their cases, according to the pre-Islamic tradition, to diviners and soothsayers, and not to the Prophet, for they feared that a judgment given by the Prophet would become binding, and they would rather seek a settlement away from him. Al-Tabari relates that Qays, a man from al-Ansar, had a quarrel with a Jew. Both of them went for a settlement of their case to a diviner in Medina and left the Prophet out of the picture in spite of the insistence of the Jew. But the Muslim refused to go to the Prophet and insisted on going to a soothsayer. The following verses hint at the prevalence of this lack of confidence in the Prophet and lay down the law for such matters :

" Hast thou not turned
Thy vision to those
Who declare that they believe
In the revelations
That have come to thee
And to those before thee?
Their real wish is
To restore together for judgment
(In their disputes)
To the Evil One,
Though they were ordered
To reject him
But Satan's wish
Is to lead them astray
Far away (from the right) " (4 : 60).

" But no, by thy Lord !
They can have
No (real) faith
Until they make thee judge
In all disputes between them,
And find in their souls
No resistance against
Thy decisions, but accept
Them with fullest conviction " (4 : 65).

The chronology of the legislative verses of the Qur'an registers the progress of the early Muslim community

If we were to follow carefully the chronology of the legislative verses of the Qur'an we would be able to follow the proportionate progress registered by the Muslim community in Medina. The revelation has a direct relevance with the growing needs of the people. We see a process of gradual evolution if we follow the Qur'an according to the chronology of events. It begins with a peaceful invitation to Islam during the period of Mecca. It deals with the legality of war and the circumstances under which Jihad is permitted in the early days of Islam in Medina when the details of the laws of war are laid down. The order of charity is fixed and the people who are entitled to it are

outlined in detail. We will notice that in the beginning friendliness to the Jews is advocated, but when they turned against Islam and failed to appreciate all gestures of reconciliation and violated their treaties, a firmer attitude towards them was taken. In the early phases, certain pre-Islamic institutions were accepted because there was no intention of suddenly bringing about a cleavage with the past. With the passage of time, however, when the spirit of Islam came to permeate into the minds of Muslims, the same institutions and practices which were tolerated in the first instance were clearly prohibited and outlawed. In the early phases of Islam, drinking, for example, which was extremely common, was suffered, but later, with the growth of the moral conscience in the society, this was prohibited. The law was promulgated only after the people had been prepared to accept it.

The nature of rules and regulations of the Qur'an

The Meccan revelation deals primarily with the principles of Islam. These fundamentals are certainly not open to any amendment or alteration. The amendment comes in where details of law have been laid down. These rules and regulations belong to the period of Medina.

The mandatory verses of the Qur'an or those dealing with the *Ahkam* cover all phases of human activity. It is a vast field comprising religious rites like prayers, fasting, charity and Hajj ; civil affairs like selling and buying and usury ; criminal affairs like theft, murder, adultery and highway robbery ; personal affairs like marriage, divorce and inheritance ; international affairs like laws of war, relations of Muslims with their enemies, treaties and war booty. All this is, however, mentioned only in a general way, and complete details are not laid down even for prayers. The working out of details was left to the Prophet in all cases, and he took care of them by explaining either by word of mouth or by his own personal example. In many respects of its legislation the Qur'an avoided a sudden break with the past. It sought to reform the pre-Islamic system, which was, of course, subject to many an amendment which cannot possibly be covered in this chapter. It ordered, for example, a reduction in the number of wives, on which there was no limit, it bestowed a new freedom on women who were treated as mere chattels, it changed the pre-Islamic traditions of marriage and divorce, it laid down the law for inheritance, which was radically different from the one existing before Islam. The pre-Islamic Arab did not concede the right of inheritance either to women or to minors. This right belonged only to the strong man who participated in wars and fought the enemies.³ Islam, however, bestowed the right of inheritance on women, although this was by no means a popular act and was resisted by the Arabs, who accepted it with great difficulty. Ibn 'Abbas relates that the revelation about the right of inheritance to the male and female children was followed by vociferous protests by the people. " Why," said the people, " is a wife given a quarter and the one-eighth, the daughter a half and so also the minor, while none of them would fight the enemy and bring in booty ? "⁴ In its anxiety to ensure that the vested interests of the men should not override the consideration regarding the rights of women the Qur'an has affirmed the right at more than one place.

(To be continued)

1 *Al-Iqd al-Farid.*

2 *Taysir al-Wusul.*

3 *Al-Tabari.*

4 *Al-Tabari.*

THE INFLUENCE OF IBN AL-MUQAFFA'

(d. 757 C.E.)

on

THE ARABIAN NIGHTS

by DR. S. A. KHULUSI



The writer

What led me to believe that al-Muqaffa' had something to do with the frame-story of The Arabian Nights

Before we start looking for the influence of the celebrated writer 'Abdullah Ibn al-Muqaffa' on *The Arabian Nights*, let us try to limit the approximate period of its appearance.

According to the references we have, the earliest date to which we can take it back is the 10th century C.E., the time *al-Fihrist* and *Muruj al-Dhahab* were written. But the book must have been written prior to that.

Now, there are two periods during which translation activities were noticeably great, one during the Caliphate of al-Ma'mun (d. 833 C.E.), and another during that of his grandfather, al-Mansur (d. 775 C.E.). We can exclude the first on the ground that the works translated in this period were mainly medical, philosophical and scientific. It was at the time of Abu Ja'far al-Mansur that books of tales and fables were written or translated.¹ It is the period during which *Kalila wa Dimna* came to light, together with other works of the same literary style, viz., *al-Adab al-kabir* and *al-Adab al-saghir* (The Greater and Lesser Book of Manners) and *Risaalah al-Sahaabah* (The Epistle of Courtiers).

A textual examination of these works shows a close connection with *The Arabian Nights* in certain points of the subject matter as well as the style.

These points led me to believe that 'Abdullah Ibn al-Muqaffa' had something to do with the frame-story and the early tales of the book as well as other points of stylistic importance throughout the book.

Al-Muqaffa's Magian Creed in The Arabian Nights

Two major points are very clear in the life and works of Ibn al-Muqaffa': (1) his early Magian Creed, and (2) his hatred of women.

It is historically proved that Ibn al-Muqaffa' was a Magian who embraced Islam under the influence of 'Isa Ibn 'Ali, the uncle of al-Mansur. Nevertheless, this early creed found reflections in his behaviour and writings even after his conversion. It is said that once as he was passing by a Magian temple, he recited the following verses by al-Ahwas:

"O House of 'Atika, which I pretend to shun,
For fear of the enemies, though my heart is attached
to it,
I show thee desertion, but I swear that
In spite of all that I am strongly inclined to thee."

The same feelings are found in *The Arabian Nights*. The Magian rites are closely observed with not unnatural apologetic attitude. Amongst others is the marriage of brothers and sisters. In Vol. II, p. 207 (M. Suhail edition), Shirkan, the son of 'Umar al-Nu'man, is said to have married his sister (Night No. 86). The author does not seem to worry much about what had happened. He cynically regards it as an act of fate, and the child born of this incest is named *Qudhiya fa-kaan* (She was decreed and born).

The excessive use of proper names that have some connection with light is another point in view, e.g., *Shams al-din*, *Shams al-Dawla*, *Sabaah*, *Dhaw' al-Makraan*, *Qamar al-Zamaan*, *Nur al-din*, etc.

Ibn al-Muqaffa's hatred of women in The Arabian Nights

His hatred of women is shown in *al-Adab as-saghir* (The Lesser Book of Manners). "Among other things that are not permanent," says Ibn al-Muqaffa', "is the shade of clouds, the friendship of the wicked, the love of women, the false rumour and the great wealth" (p. 75).

The same idea is reiterated in *al-Adab al-kabir* (The Greater Book of Manners), but in sterner terms and amplification (p. 98): "The worst thing that can happen to one's religion," says Ibn al-Muqaffa, "and the most destructive to one's body and property, the most deadening to the mind, the most degrading to manliness and the quickest to remove grandeur and dignity, is to fall in love with women!"

"Indeed women are all alike," continues Ibn al-Muqaffa', "but what looks more attractive to the eye, and dearer to one's heart in so far as the excellence of the unknown amongst them over the known, is void and deceptive. Nay, many of what one rejects of them are of greater merit than what one covets amongst them. He who rejects what he has in his own household in favour of what others have in their own is like him who does not like the food of his own kitchen, and covets what is there in other people's. Indeed one woman is more like any other than any food in comparison with any other, and what people possess in the way of food is more diverse and of greater variation than what they have in the way of wives" (pp. 99-100).³

Now, we will try to find a parallel to this idea in *The Arabian Nights*. In the Night 569 we come across the

* Text of a paper read at the 26th Congress of Orientalists (1960) held in Moscow, U.S.S.R.

following tale entitled "A Tale That Implies the Wile of Women and that their Deceit is Great":

"A certain king fell in love with the wife of his minister, so he arranged for him to go at the head of an army to one of the remotest stations on the frontier. The next day he proposes to visit his wife. The lady senses the purpose of the visit, so she arranges a dinner for His Majesty. She places on the table ninety dishes. He takes a spoonful of each and finds that, though they look different, they taste the same. He asks her for the reason. She replies that she has a moral behind it. Apparently he was not a particularly intelligent king, so he asks her, 'What sort of moral is there in it?' Thereupon she tells him point-blank, 'May God set the condition of our lord the King aright! You have in your palace ninety concubines that look different but give the same taste.' On hearing this, the King feels ashamed of himself, leaves the house and never acts wickedly towards her."

This gives in a pictorial manner Ibn al-Muqaffa's statement: "Indeed, one woman is more like any other than any food in comparison with any other."

Moreover, we notice the author's unfriendly attitude towards women in the frame-story of the book. To begin with, the wife of King Shahrayar betrays him in his absence with some servants, so does the wife of Shah Zamaan and the sweetheart of the 'Ifrit (Demon), who betrays him in spite of the fact that he places her in a locked box under seven seas.

Striking similarity between The Arabian Nights and Kalila wa Dimna

There is a striking similarity between the frame-story of *The Arabian Nights* and another work whose authorship is well-established, viz., *Kalila wa Dimna*. In both stories there is a tyrant king who must be appeased in order to save the lives of innocent people from his clutches. In *The Nights* it is the Sassanid king, Shahrayar, who marries every night a fresh wife, to be killed the next morning, and was pacified by Shahrazad, whereas in *Kalila wa Dimna* is the King Dabshalim who was crowned after the overthrow of the puppet king set up by Alexander the Great. He acted tyrannically and no one dared to speak to him to pacify him and change his policy towards his subjects save the sage Bidpai. Both books are from the early Abbasid period, both combine seriousness with mirth, both have two sides: one for the élite and another for the common folk, and both combine Arab with Persian culture. They must therefore preferably be the effort of someone who was the outcome of the impact of the two cultures, and who can answer these qualifications better than Ibn al-Muqaffa?

Many of the maritime incidents and scenes described could have been in Basra where Ibn al-Muqaffa lived.

Furthermore, I undertook to count the number of times the countries and cities are mentioned in the book, and found that Iraq and the Iraqi cities are mentioned 507 times, Egypt 198, Syria 171, Greece and the rest of Europe 100, China 70, Persia 59 and India 56. This goes to show that the original author must have been in all probability an Iraqi.⁴

The style of Ibn al-Muqaffa is discernible in The Arabian Nights

Of course the book has undergone many changes, but the original vocabulary and style of Ibn al-Muqaffa is still unmistakably there. Of these we can count the phrase

Ayyuha 'l-Malik al-Sa'id (O Felicitous King), Qaala wa kayfa kaana dhaalik? (He said, "And how was that?"). This is clear from the *exposé* by 'Abdullah Ibn al-Muqaffa' (chapter III, pp. 56-73).⁵ In fact this *exposé* is a miniature *Arabian Nights* in style, in the way he links one story with another and keeps the reader in suspense (cf. especially pp. 66-69).

Not unlike *Kalila wa Dimna*, *The Arabian Nights* begins with an animal tale, viz., "The Tale of the Ox and the Ass", which title reminds us of the opening tale of *Kalila wa Dimna*, viz., "The Tale of the Lion and the Ox".

Some people believe that al-Asma'i was responsible for certain parts of the book, but his style is not as lucid as that of Ibn al-Muqaffa', which is closer to the novelistic and dialogue style of *The Nights*.

It is highly probable that Ibn al-Muqaffa' laid the general scheme of the work, together with the Persian frame-story and the early tales of *The Nights*, but was unable to finish it owing to his murder in 757 C.E., and it was completed later by a number of imitators; probably al-Asma'i was one of them, in a minor way, because his style was more on the rhymed-prose line and could not be adapted to that of *The Nights*.⁶

Sir Richard Burton admits that the frame-story is purely Persian and derived from *Hazaar Afsaanah* (A Thousand Fables), concerning which, incidentally, Professor 'Ali Asghar Hikmat in an article published recently in the Lebanese periodical *Dirasah Adabiyya* mentions the rumour of the discovery of the book by the Russians. If this is true, I think it will make a very deep impression on the Russian scholarship of the domain of Oriental studies.

A number of the fables in *The Nights*, however, could easily be paralleled by those of *Kalila wa Dimna*, and this is probably true of the whole small collection of beast tales in the 146th Night.

Five important points that give a clue to Ibn Muqaffa's connection with The Nights

Apart from the two major points mentioned above, there are five other important points that give us significant clues to the connection between Ibn al-Muqaffa' and *The Nights*. These are:

(1) The fact that Ibn al-Muqaffa' was notorious for repeating himself in one and the same work, and in his works in general. My colleague Dr. Mahdi al-Basir admits the same point in his admirable work *Studies in Abbasid Literature* (p. 34).

This helps a lot to establish a bridge between Ibn al-Muqaffa' and *The Nights* by a study of a series of parallel texts, especially those in which verbal repetition is observed.

(2) Ibn al-Muqaffa' was a *Mutarassil* (epistolary writer), and not a *Musajji'* (rhymed-prose writer), and although *The Nights* is not altogether free of *saj'* (rhymed-prose), it is more akin to *Tarassul* than to *Saj'*.

(3) Ibn al-Muqaffa' was a cynical, sarcastic writer and *The Nights* is full of cynicism and sarcasm.

(4) Ibn al-Muqaffa' was, according to al-Fihrist of Ibn al-Nadim, *Min al-Summar*, a night-discourser. It is probable, therefore, that he used to translate from *Hazaar Afsaanah* tales which he related in the long winter evenings, and were later collected in one form or other by various listeners. Hence the different versions of the MSS. of *The Nights*.

(5) Ibn al-Muqaffa' was considered as a *Zindiq*, or Free Thinker, and was killed for this reason. Hence some

of his works were, for fear of the authority, published anonymously or attributed to other authors, such in all probability being the *Kitab al-Taaj* of al-Jahidh, or were concealed as quotations in larger works as *al-'Ai'in Naamah* and *Khuda Naamah*, or *Siyar Muluk al-'Ajam* in the *'Uyun al-Akhbaar* of Ibn Qutaybah and *'Ahd Ardashir* (The Covenant of Ardashir) in the *Tajaarib al-'Uman* (The Experiments of the Nations) of Ibn Miskawayh, and the whole story of King Jili'ad in *The Arabian Nights*.

It is very likely that there are other whole stories that were incorporated anonymously in *The Nights*.⁸

It is, I believe, the duty of all conscientious scholars to vindicate this unfortunate author and retrieve all his plagiarized and misappropriated works by meticulous and careful research.

I wish here, however, to refer to an account given by Professor Hitti in his *History of the Arabs* concerning *The Nights*. He thinks that "shortly before the middle of the 10th century the first draft of what later became *Alf Laylah wa Laylah* was made in al-'Iraq. The basis of this draft, prepared by al-Jahshiyari (d. 942 C.E.), was an old Persian work, *The Hazaar Afsaanaah* (Thousand Tales), containing several stories of Indian origin. Al-Jahshiyari added other tales from local story-tellers. The *Afsaanaah* provided the general plot and framework as well as the nomenclature for the leading heroes and heroines, including Shahrazad . . . the Court of Harun ar-Rashid provided a large quota of humorous anecdotes and love romances."⁹ This account is partly based on *al-Fihrist*.†

It is very difficult to believe that *The Nights* appeared shortly before the middle of the 10th century. I am rather inclined to agree with Sir Richard Burton, who thinks that the oldest tales may date from the 8th century C.E.,¹⁰ as I have previously stated.

The style of al-Jahshiyari has no affinity with the works of Ibn al-Muqaffa' and The Arabian Nights

It is equally difficult to think that al-Jahshiyari prepared the first draft of *The Nights*, because al-Jahshiyari died in 942 C.E., whereas the book was mentioned by al-Mas'udi in *Muruj al-Dhahab* in 944 C.E. in such a way as to make one feel that it must have existed long before that. Moreover, al-Jahshiyari, being the contemporary of al-Mas'udi, should have been mentioned by the latter in connection with the book, if he had really been the first editor of it.

Nevertheless, I made a thorough comparison between the style of al-Jahshiyari as exhibited in his work *Kitab al-Wuzaraa' wa'l-Kuttaab* (The Book of Ministers and Secretaries), and *The Arabian Nights*, and have not discovered that affinity I had perceived between the works of Ibn al-Muqaffa' and *The Nights*.

It is not an easy task to exhibit here the numerous parallel texts I have culled from the writings of Ibn al-Muqaffa' and the tales of *The Nights*, which reflect the same general rhythm and simplicity of diction, together with the lucidity of unrhymed prose, and the similarity of aim and theme.

Whether those passages represent vestiges of the original copy of the book as was written or translated or paraphrased by Ibn al-Muqaffa' from *Hazaar Afsaanaah* or they are interpolated by later scribes and copyists, or they are simply examples of the general influence that Ibn al-Muqaffa' had on later story-tellers and novelists, which influence continued for a very long time;¹¹ whether it be the one or the other, they show the strong link that binds Ibn al-Muqaffa' with *The Arabian Nights*.

REFERENCES

- 1 Cf. Von Hammer, *apud* R. Burton, *The Arabian Nights*, Vol. X, p. 69
- 2 Cf. *Kalila wa Dimna*, where the same passage is repeated with modification, p. 208.
- 3 There is also an allusion to this point in *Kalila wa Dimna*, p. 104.
- 4 See the present writer's book, *Diraasaat fi 'l-Adab al-Muqaaran wa 'l-Madhaahib al-adabiyyah* (Studies in Comparative Literature and Literary Schools), chapter entitled "Qisas Alf Laylah wa Laylah", pp. 15-85.
- 5 Ed. Mahmud Hasan, *Rabi'*, al-Tijaariyya Press, Cairo, Egypt, The book is undated.
- 6 Cf. The heavy style of the *Tale of 'Antar*, which is generally attributed to him.
- 7 Vol. I, No. 4 (1960), p. 31.
- 8 A similar, though comparatively mitigated, fate overtook the later writings of the English dramatist Oscar Wilde, some of whose MSS. were stolen and others sold. See H. Montgomery Hyde, *Trials of Oscar Wilde*, p. 70, especially footnote No. 11.
- 9 Hitti, *History of the Arabs* (4th Ed.), 1949, p. 404.
- † *Al-Fihrist*, p. 304. Cf. al-Mas'udi, Vol. IV, p. 90.
- 10 *The Arabian Nights*, Vol. X, p. 88.
- 11 See 'Abd al-Latif Hamza, *Ibn al-Mugaffa*, Dar al-Nashr al-Hadith, Cairo, Egypt, 1937, pp. 312-333.

Continued from Inside Front Cover

AGENTS IN PAKISTAN (continued)

S. Masood Ahmad, Esq., Bookseller & Newsagent, P.O. Ghoramara, Rajshahi.
Sri Madhuzdan Bhattachari, Jee Newsagent, Zindabazar, P.O. Sylhet.
Messrs. M. Islam Khan, Newspaper Agents, Khan Manzil, Chandpur, Dist. Tippera.
The Manager, The News Agency, Kushtia.
Kausar Ali, Esq., M.A., Professor Daulat-pur College, Daulatpur-Khulni.
M. A. Majeed, B.A., Newspaper Agent, Kohinoor Library, Faridpur.
H. K. Roy, Esq., c/o Railway Bookstall, Dinajpur.

TO OUR SUBSCRIBERS

M. A. Siddiqi, Proprietor of Alam News Agency, Lalmonirhat Rangpur.

The Manager, Azmat News Agency, Chawk Bazaar, Barisal.

S. M. Hassan, Book House, Hashmia Restaurant, Station Road, Chittagong.

Western Pakistan

"The Islamic Review", Azeez Manzil, Brandreth Road, Lahore.
The Manager, Spring Works, 3 Temple View, Preedy Street, Karachi.

Victory Bookstores, Booksellers & Publishers, Rawalpindi.

The New Quetta Bookstall, Jinnah Road, Quetta.

AGENT IN KASHMIR

Abdul 'Aziz Shora, Esq., Editor, "Roshni", Srinagar, Kashmir.
Annual Subscription Rs. 16/12, post free; single copies Rs. 1/11.

The emergence of the new *Ibn al-Kalaam* Dogmatic Theology in the World of Islam

Reforms governing the personal status of the Muslim citizens of Pakistan

It was officially announced in Karachi on 15th March 1960 that the Government of Pakistan have accepted the recommendations of the Commission on Marriage and Family Laws appointed in 1956.

(The Commission was appointed by the Government of Pakistan on 4th August 1955. The terms of reference were:

Do the existing laws governing marriage, divorce, maintenance and other ancillary matters among Muslims require modification in order to give women their proper place in society according to the fundamentals of Islam? The Report of the four members of the Commission (three of the five members were women), with Mr. Justice 'Abd al-Rashid, a former Chief Justice of Pakistan, as its President (a note of dissent by the fifth member, a religious dignitary of Pakistan, the Maulana Ihtisham al-Haqq, was published in the Gazette separately) on the proper registration of marriages and divorces, the right to divorce exercisable by either partner through a court or by other judicial means, maintenance and the establishment of special courts to deal with cases affecting women's rights, was submitted on 1st June 1956 and published in the Gazette of Pakistan Extraordinary for 20th June 1956.)

Following is the summary of the recommendations of the Commission on Marriage and Family Laws :

"We have always kept the injunctions of the Qur'an and the Sunnah in view in proposing certain reforms. We have given no new rights to women. An effort has been made to provide a machinery for the implementation of rights that have already been granted to women and children by the Qur'an and the Sunnah. In doing so we have been guided by the following considerations :

"1. The State is the custodian of social justice.
"2. The actual state of the socio-economic pattern has changed considerably since the early centuries of Islam.

"3. The basic principles of human relations as enunciated by the Holy Book are valid for all times, but the mode of their implementation and application must vary along with the changing circumstances.

"4. The law and procedure about marriage, divorce, guardianship of the persons and property of the minors and inheritance needs overhauling to create greater security and stability in family relations and to help the helpless.

"5. The interpretations of the revered jurists have to be studied again in the light of expanding human knowledge and widening experience, and a reconstruction in the light of the spirit of the Qur'an and the Sunnah is not only



President Muhammad Ayyub Khan of Pakistan

permissible but is a duty imposed on the Muslims to make Muslim society adaptive, dynamic and progressive.

"6. Special social diseases require special remedies, and if anything that was permitted by primitive Islam because human society was yet in an early stage has resulted in the abuse of a permission, the permission is to be judged again with conditions and restrictions that may tend to minimize the prevalent abuses.

Registration of marriages-divorce

"7. Unregistered marriages and unregistered divorces create an immense amount of unnecessary and avoidable litigation. In former times when literacy was no more than one per cent in any society in the world, there was some practical difficulty in reducing all marital and commercial contracts to writing.

"But now that the percentage of literacy is fast increasing and in every village there are either some petty officials or private citizens who can read and write, the injunction of the Qur'an to reduce some important transactions to writing can be extended to the registration of marriages and divorces so as to dispense with mere oral evidence in such vital matters as besides other things involve the question of legitimacy and inheritance.

"Legal and judicial experience covering numerous cases points towards this reform that cannot brook any delay. When the law has already made it compulsory that even minor affairs connected with agricultural transactions even in the most backward areas must be reduced to writing and recorded officially in an official register, there seems to be no justification for keeping the most vital matter of marriage and divorce as an exception to the general rule.

"The demand for registration in this matter is only a further implementation of the Qur'anic injunctions. Unfortunately Muslim society in general has become irresponsible in such vital concerns of life. The State, therefore, has to step in to enact measures which prevent abuses that are so rampant. It will be noted that the recommendations of the Commission have nowhere violated the basic injunctions of the Qur'an and Sunnah and every reform proposed embodies only in a slightly modified form the spirit and trends of original and unsullied Islam.

Polygamy

"8. With respect to polygamy, which has become a hotly debated issue in every Muslim society, the Commission has adhered to the Qur'anic view. Polygamy is neither enjoined nor permitted unconditionally nor encouraged by the Holy Book, which has considered this permission to be full of risks for social justice and the happiness of the family unit, which is the nucleus of all culture and civilization.

"It is a sad experience for those who have practised it and for those who have watched its tragic consequences that in most cases no rational justification exists and the practice of it is prompted by the lower self of men who are devoid of refined sentiments and are unregardful of the demands of even elementary justice.

"The Qur'anic permission about polygamy was a conditional permission to meet grave social emergencies, and heavy responsibilities were attached to it, with the warning that the common man will find it extremely difficult, if not impossible, to fulfil the conditions of equal justice attached to it. The members of the Commission, therefore, are convinced that the practice cannot be left to the sweet will of any individual.

Matrimonial courts

"The Commission is conscious of the fact that in rare cases taking a second wife may be a justifiable act. Therefore, it recommends that it should be enacted that anyone desirous of taking a second wife should not be allowed to do it without first applying to a matrimonial court for permission. If the court sees any rational justification in the demand of such a husband he may be allowed one if he is judged to be capable of doing justice in every respect to more than one wife and the children.

"To ask the first wife and her children to resort to a court for the demands of justice is unjust and impracticable in the present state of our society where women due to poverty, helplessness, social pressure and oppression are not in a position to seek legal assistance. The function of the court is not merely to remove injustice when it is done. In our opinion a more vital function of the legal and the judicial system is to adopt measures that minimize the practice of injustice.

"Therefore permission of the matrimonial court for a contemplated second marriage so that the demands of justice are fulfilled and guaranteed, is the fundamental reform proposed by the Commission.

"The Commission has also been guided by the conviction that beneficent legislation alone does not constitute

a guarantee of human justice and welfare unless the procedure to obtain justice is simple, speedy and inexpensive.

"In a just society justice is not to be sold but should be free as air and water. Justice delayed is justice denied. Therefore, the proposal to establish special matrimonial courts, not burdened with all sorts of civil work and not entangled by the complexities of the current Civil Procedure Code, is as important as the other legal reforms that have been proposed. Some eminent lawyers who have practised in some Muslim countries have stated that suits connected with matrimony and family affairs are decided in the courts within a very short time. They do not take months or years as is the case at present with us (in Pakistan).

"Islam very justly claims to be a simple and liberal creed and apart from a very few categorical injunctions adumbrated in broad outline, its basic principles, aspirations and trends are based on natural and substantial justice.

"The Qur'an says that previous societies perished because they were burdened with too many inflexible laws and too much unnecessary ritual, which the Holy Book has stigmatized as chains and halters. Life is a creative and adaptive process and it requires more of vision and less of inflexible rules. The original simple and liberal spirit of Islam must be revived and for guidance have to go back to the beginning of Islam when it was yet free from accretions. Later multiplications of laws and codes may be identified with the totality of Islam.

"As the great sage-philosopher of Islam, the 'Allama Iqbal, said, 'Islam is more of an aspiration than a fulfilment,' meaning thereby that its implementation at any epoch of history in any particular socio-economic pattern is only a moment in the dialectics of its history.

"No progressive legislation is possible if Muslim assemblies remain only interpreters and blind adherents of ancient schools of law.

"All real evolution is a creative process which could never be identical with mere repetition. It is an oft-repeated taunt of the unreflective and prejudiced critic that Islam has been by-passed by the all-round progress of humanity, but no enlightened Muslim can plead guilty to the charge.

"Islam is another name of the eternal principles of life whose validity is not touched by the historical vicissitudes to which all nations are subject. It is not Islam but the temporal regulation of human relations that suffers a constant change. Even while the Qur'an was being revealed the alteration of circumstances was matched by alteration of some injunctions. The history of early Islam is full of such instances. Who can say that human life has ceased to change and grow and has not made much of ancient law already obsolete that was once necessary for the direction of human affairs?

"Slavery is an instance in point. With the abolition of this nefarious institution a large body of time-honoured Muslim law has become a dead letter, as humanity takes further strides towards social justice many other institutions shall be scrapped by the advance of time. To hold back Islamic society by making it conform in detail to patterns that prevailed at one time, but have lost all meaning now, is the surest way to make society dead or decadent.

Revival of rights

"It will be noted that in the questionnaire issued by the Commission and the final recommendations made by it, the primary object was to revive in a slightly modified form the rights granted to women by Islam, the rights to obtain which the women of some highly civilized countries are still

Continued on page 40

THE SECOND ARAB PETROLEUM CONFERENCE

The Second Conference on Arab Petroleum held between 17th and 23rd October 1960 at Beirut, the Lebanon, reached agreement in all matters discussed. It was divided into two Committees : (1) the Economic and Legislative Committee ; (2) Exploration, Production, Refining, Transport and Industrialization Committee. The latter had more work to do because of the many subjects put before it.

The former committee has particularly attracted the interest of petroleum companies. It discussed the question of the marketing of petroleum, its world production, the effect of its exportation by European and Eastern countries, and the effect of its price on Eastern Arab countries.

To the second committee it was obvious that the Arab countries have begun to realize the value of scientific and technical studies and have been convinced of the fact that the technical side of the study is the most important factor of making use of petroleum and its by-products.

Heads of delegations of Arab States and Emirates at the Second Arab Petroleum Conference declared their Governments' determination to promote the Arab petroleum industry with a view to furthering national incomes and of raising the standard of living in Arab countries. All having agreed to act to achieve these aims within the framework of a unified Arab petroleum policy, the following unanimous resolutions were issued :

- (1) The Conference endorses the demands of the Governments of Arab States and their endeavours which aim at improving the conditions of petroleum concessions. The Conference hopes that the companies concerned will respond to these justifiable demands, in order to preserve amicable co-operation between them and the Governments concerned, thus serving the individual interests of both, and those of the consumers ;
- (2) The Conference disapproves of the petroleum companies' decision to reduce the prices of crude petroleum and its by-products without obtaining the consent of the producing Arab countries. The Conference also supports those governments in their refusal to recognize the reduction in question ;
- (3) The Conference recommends that the Arab States must wholeheartedly encourage technical, economic and legal studies concerning petroleum affairs, and facilitate participation of Arab citizens in international conferences ; and,
- (4) The conferees recommend that the Conference should convene on Monday of the third week in October every year, and that the Third Conference should be held in Cairo.

WHAT IS ISLAM?

by NORMAN LEWIS

What is Islam?

It is love of God, devotion to God, submission to His will.

It is the desire that the whole world come under the rule of God, that His power guide all human life.

It is the longing that all men may know Him, as the faithful have known Him.

It is the intellectual recognition that God is engineering the universe and should therefore receive the submission and loyalty of all intelligent creatures.

It is the spiritual aspiration that leads the soul of man upwards toward the Pinnacle.

It is the recognition of a Comrade, greater than all life, a sustaining friendliness that will not fail us.

In its ultimate state it will be a temporal power ruled by the will of God.

It is today a vision of the whole world ruled only by God.

It is communion with God. It is, in its ultimate form, union with God.

It is the discernment that only what is of God will endure, that all which is not of God will gradually dissolve.

It is unification, integration with the Eternal.

It is trust that God doth all things well.

It is understanding that God is the ultimate Power, capable of destroying all that is opposed to Him.

It is recognition that this love of God is the highest experience of which the human soul is capable.

It is gratitude for the blessing which we daily and hourly and momently received from His hand.

It is knowledge that we will never leave this world until the time set in His plan.

It is comprehension that when we leave this life we will be placed where His wisdom and love would place us and nowhere else.

It is cognizance that in the Higher life, to which all lovers of God go, we will have access to Him as is not possible while we are in this flesh.

It is the only true Optimism, because it is the only optimism which is based upon Reality.

It is the vision which sees His light penetrating all life, all human experience.

It is the courage that will face thirst and hunger and heat and cold that God's work may be done.

It is the patience to wait and the discernment to see that God's plan is slowly but surely coming to fulfilment.

It is the peace which God alone can give, because it is the peace within — and it leads to peace without.

It is the life that is with God — the only life.

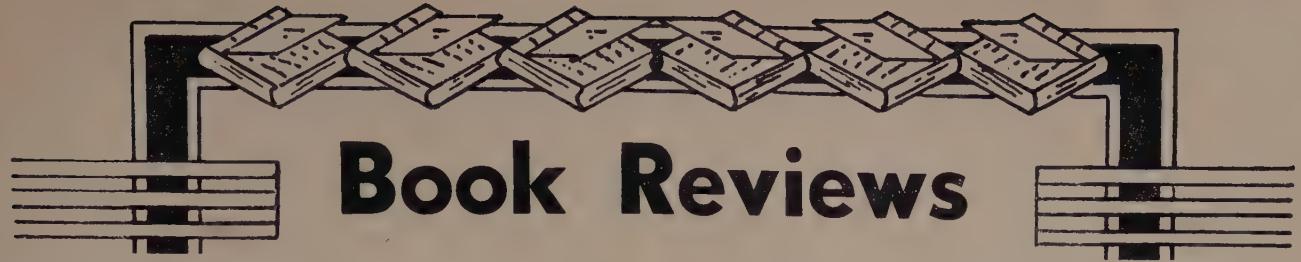
It is the thought of God — the only valuable thought.

It is the only comfort in the dark hours, which are no longer dark because of Him.

It is knowledge of His unremitting vigilance, unequalled power, and immeasurable compassion.

It is joy in God, greater than all other joy.

It is the Kingdom of God within us now — and forever.



Book Reviews

SUCCESSION TO THE RULE IN ISLAM, by Dr. Anwar Chejne, Ashraf Press, Lahore Pakistan, 1960. Price Rs. 6/-.

This book is concerned with the manner in which the succession to the Caliphate was handled during the first three centuries of Islam with particular reference to the early 'Abbasid period from the accession of al-Saffah (750-754 C.E.) to that of al-Mu'tadid (892-902 C.E.). It consists of two main parts: (1) a discussion of pre-Islamic background of succession and of Muslim political theory, and (2) an historical survey of actual cases of nomination as they have been reported by early Muslim historians including translation of the actual documents of nomination.

* * *

THE SACRED WRITINGS OF THE SIKHS, translated by Trilochan Singh, Jodh Singh, Kapur Singh, Bawa Harkishan Singh and Khushwant Singh. Introduction by Radhakrishnan. George Allen & Unwin Ltd., London, 1960. Price 22/-.

This work may be described as an authorized version of certain of the sacred hymns of the Sikh scriptures. It is the fruit of the joint labours of the most distinguished contemporary Sikh theologians and scholars working under the direction of Dr. Sir S. Radhakrishnan, Vice-President of the Republic of India.

The contents comprise selections mainly from the *Adi Granth*, generally regarded as the greatest work of Punjabee and Hindi literature, of which the principal authors were the Guru Nanak and the Guru Arjan, the first and fifth of the ten Sikh Gurus. A remarkable feature of the *Adi Granth* is that it contains writings of teachers in other religions including Hinduism and Islam, thus, as Dr. Radhakrishnan writes, "maintaining the tradition of India which respects all religions and believes in the freedom of the human spirit".

The book is part of the India series of the translations collection of the United Nations Educational Scientific and Cultural Organization.

* * *

THE SUFI MESSAGE, by the Hazrat 'Inayat Khan. Published by the International Headquarters of the Sufi Movement, Geneva, Switzerland, 1960. Price 25/-.

This is the first volume in the new edition which will ultimately include all the works intended for publication of 'Inayat Khan, the Sufi mystic who lectured and taught in the Western world from 1910 until his death in 1927. Although many of these have been published at different intervals, most of them are out of print.

'Inayat Khan also left a large number of hitherto unpublished lectures which will be collected and published in this series for the first time. This first volume contains: The Way of Illumination; The Inner Life; The Soul, Whence and Whither?; and The Purpose of Life.

THE QUR'ANIC ETHICS, by Bashir Ahmad Dar, published by the Institute of Islamic Culture, Lahore, Pakistan. Price Rs. 6/-.

This book is an attempt at giving in modern terms the life-giving and life-enriching moral principles of the Qur'án — a book of wisdom which aims to instruct and guide people in their moral efforts towards a better, peaceful and harmonious life.

It was originally written to form the first chapter of a comprehensive book dealing with the history of ethical thought among Muslims. But the author has been requested to print it separately prior to the publication of his bigger work. This chapter deals with subjects such as theistic presupposition, freedom and determinism, life after death, the conception of original sin, etc.

* * *

I CALL MY LOVE, by Florence Rand, published by Gerald J. Rickard, Brooklyn, N.Y. Price \$1.50.

Florence Rand's poems show a sensitive insight into all that surrounds us, giving a feeling of hope and strength to the reader. They have a universal quality, and ring with the work of the spirit. The beauty and sincerity of her words are stirring, and her understanding of nature has great depth.

This book includes a letter of appreciation to the author by the President of Egypt, Gamal Abd al-Nasir.

* * *

P. & D. OVERSEAS NEWSPAPERS AND PERIODICALS GUIDE BOOK, published by the Publishing and Distributing Co. Ltd., 177 Regent Street, London, W.1. Price 30/-.

A valuable guide to those who want to promote their sales in various parts of the world. A handy reference book for trade and advertising.

* * *

SOUTH AFRICA AND WORLD OPINION, by Peter Calvocoressi, published for the Institute of Race Relations by Oxford University Press, London 1961. Price 6/-.

The object of this book is to examine the world's reactions to South Africa's racial policies. Many people and some governments expressed indignation at Sharpeville, but can they — and will they — turn their indignation into anything more than talk? The Commonwealth, the United Nations, the community of independent African States, the Union's major trading partners — all these have weapons of one kind or another, but they are either reluctant to use them or find obstacles in the way of doing so. Mr. Calvocoressi examines in particular the Commonwealth's threat to discontinue the Union's membership if it were to become a republic without changing its racial policies; the U.N.'s lever in the shape of the mandate over South-West Africa; and the whole problem of economic sanctions.

Mr. Calvocoressi is a member of the Council of the Royal Institute of International Affairs and author of a number of books on international affairs.

ERITREA, A COLONY IN TRANSITION 1941-52, by G. K. N. Trevaskis, Oxford University Press. Price 21/-.

Eritrea, Italy's oldest and traditionally most loyal colony, was occupied by British forces in April 1941 towards the close of the East African campaign. From then until its federation with Ethiopia in 1952 it remained under a caretaker British administration.

This book is concerned with the revolution which took place during this period of British occupation. It describes how a contented and superficially united people were suddenly exposed to harsh economic realities from which they had until then been shielded by an old-fashioned and, despite its later Fascist flavour, comparatively benevolent colonialism; how they were affected by the new ideas and policies introduced by their British administrators; how, while their future was being debated by the Four Powers and, later, the United Nations, they became the victims of cynical power politics; how, under the spur of land hunger, unemployment, alien subversion and irresponsible political leaders, they were divided by racial and religious hatreds; and how the unity Italy had given Eritrea was then almost shattered beyond repair.

* * *

INDEPENDENT IRAQ, 1932-1958, by Majid Khadduri. Published by the Royal Institute of International Affairs, Oxford University Press, Amen House, Warwick Square, London, E.C.4. Price 45/-.

Here, for the first time, an Iraqi writer attempts to give the inside story of contemporary political developments in his country. The narrative covers the period from the termination of the Mandate to the middle of 1958 — it gives the details of the political strife among the parties and political groupings after Faysal's death, the intervention of the army in politics, and the military *coup d'état* which culminated in the Rashid 'Ali *coup* and the clash with Great Britain in 1941. Developments leading to the collapse of the former régime have been dealt with in detail, in particular the *coups d'état* of 1948 and 1952. At the end of the book a new chapter has been added dealing with the Development Board, the 1952 oil agreement, the Communist movement, and the causes of the breakdown of democratic government.

The sources used are not only printed documents and other materials, but also the writer's own observations and his interviews with leading Iraqi politicians and men of public affairs. For this new edition further material on the events of 1938 and 1948 has been obtained from the captured German archives as well as from published and unpublished memoirs.

Majid Khadduri is an Arab writer from Iraq who has published works in Arabic and English on domestic and international problems of the Middle East.

* * *

THE ISLAMIC NEAR EAST, edited by Douglas Grant. Published by University of Toronto Press, 1960. Price 20/-.

The Western world has become painfully aware in recent years of the importance of the Islamic Near East. The immediate and confusing political issues associated with the area have inevitably been to the forefront of discussion, but though it has been generally realized that they are only the manifestation of more powerful and secret causes — cultural, social and political — the causes themselves have been insufficiently explored and explained, at least in a way to be readily understood by a layman.

As it is of critical importance that the West should be as informed as possible of the nature and quality of the

contemporary culture of the Islamic Near East, the *University of Toronto Quarterly* invited eight leading scholars in the field to examine several aspects of this culture, with the intention of helping to encourage the wide and serious discussion which the subject demands — a discussion which will profoundly modify the attitudes of the West. This volume could be sub-titled "Essays in Cultural Understanding".

The names of the contributors are Sir Hamilton Gibb, A. A. A. Fyze, A. J. A. Mango, C. F. Beckingham, Niyazi Berkes, R. M. Savory, G. M. Wickens and P. J. Cachia.

* * *

OIL AND STATE IN THE MIDDLE EAST, by George Lenczowski, published by the Oxford University Press, London, 1960. Price 54/-.

How can the foreign-owned oil industry best survive and prosper in the midst of an alien environment? An astute political analyst, Professor Lenczowski, is eminently well qualified to explore this question and to clarify the unique and decisive position the industry holds in the social and political destinies of the Middle East.

After reviewing the significance of oil in the European economy and its impact on Middle East development, the author takes up in detail the characteristics and legal status of the concession agreement — "a political fact of major importance". To cover the whole sector of human and industrial relations, he then analyses the industry's contacts with three elements: the host governments, the public in host countries, and the employees — examining the economic, legal, social and political aspects involved. Labour problems, strikes, territorial claims in submarine and desert areas, and the use of public relations techniques, are a few of the topics which come under discussion.

His case study of the Suez crisis further points up the many facets of the State-company relationship and the interdependence of politics, mass psychology and economics as factors which influence the position of the oil industry.

* * *

THE INTELLECTUAL ORIGINS OF EGYPTIAN NATIONALISM, by Jamal Mohammed Ahmed. Middle Eastern Monographs : III. Published for the Royal Institute of International Affairs by Oxford University Press, London, 1960. Price 25/-.

Egypt's unique geographical position at the meeting-point of three Arab regions gives her a vast political influence, at least potentially. She has also had a cultural pre-eminence for many centuries since Cairo became the home of the traditional religion and language of Islam. Then, in the 19th century, she was the first Arab country and one of the first Muslim countries to begin adopting institutions characteristic of the modern world.

On the one hand were those who regarded any reforms as irreconcilable with the teaching of Islam about the social order; on the other stood a more powerful group anxious to accept the whole of modern Western civilization. But between these two extremes was another and more important school of thought, and it is with this group of thinkers and practical reformers, particularly Muhammad 'Abduh, the founder of the group, that this book is chiefly concerned. When Egyptian nationalism suddenly emerged as a mass movement in 1918, it drew its intellectual inspiration from the ideas of Muhammad 'Abduh. Much has happened since then, and the alliance between liberalism and nationalism has broken down. But the questions posed by 'Abduh are still relevant to modern Egypt and his answers still go on working beneath the surface.

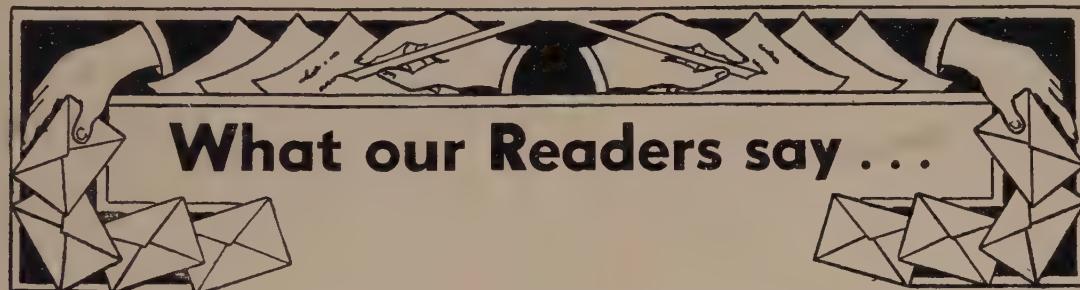
TURKISH MINIATURE PAINTING, by Emel Esin, published by Charles E. Tuttle Company, Rutland, Vermont, U.S.A., 1960. Price \$2.50.

The vigorous personality and the unconventional approach that characterize Turkish miniature painting spring from a Central Asian tradition that goes back to the ancient nomadic and pre-Islamic Turkistani arts. From its 6th-century origins to the establishment of the first Islamic school of miniature painting in Baghdad in the 12th century and thence to its brilliant flowering under the Ottoman Empire, this art has found its subjects in legend, in history, in religion, in poetry, and in the everyday life of the people. Its portrayals, as exemplified in the twelve miniatures that appear in this volume, range from such mythological creatures as "The Beast of the Earth" to exotic court beauties like the one who posed for "A Turkish Lady of the 18th Century" and from religious episodes like "The Nativity of Muhammad" to magnificent historical scenes like "The Enthronement of Selim II".

"The Turk," as the author points out in her Introduction, "loves to depict, sometimes humorously, bodies in movement, and is at his best when he is portraying crowds

or general scenes. He does not idealize his subject, preferring to present it in the guise of everyday life as observed by the artist. The drawing style of the Turkish artist is an expressionistic one using few lines and epitomizing the source of the artist's inspiration. . . . Using pigments mixed with white of egg, the Turk covers surfaces with colours whose brilliance 'would put the sun to shame'. Together with patches of contrasting colour, he often uses subtly graduated nuances of the same shade. In religious painting, deep emotion is expressed through austere simplicity." It is with these techniques that the Turkish miniatures have been able to create a pageantry that is no less inspired than it is colourful.

Reproduced here in full colour are twelve brilliant examples of Turkish miniature painting from the late 16th to the 18th century. The selection of the plates and the black-and-white figural illustrations, the informative historical survey, and the vivid commentaries on the miniatures themselves are the work of an exceptionally competent authority: Emel Esin is the wife of the permanent Turkish representative to the United Nations and author of *Journey to Turkestan* (Ankara, 1959).



LETTERS FROM PRISONS

H.M. Prison,
Pentonville,
London, N.7.
20th September 1960.

Dear Mr. Tufail,

Assalamu 'alaikum

I thank you for your letter of the 15th September and for the literature which you sent to my friend and myself.

I am overjoyed to hear that one of my "contacts" in Canterbury has written to you. That is a fine reward for all the mockery and sneering jibes I have had to endure from men who are so unfortunate as to be ignorant of Islam (may God forgive them and open their eyes!). This news has confirmed my faith in God and, like you, I feel sure that we shall see great results from that "seed of Islam" there. Brother — was very excited at receiving the copies of *The Islamic Review* and the other books. Unfortunately his knowledge of English is very limited and broken. However, he has already contacted two non-Muslims who seem to have a sincere interest in Islam.

I know three other Muslims who are showing an interest in the Faith. They are Afro-West Indians and, up to now, have been Muslims in name only. During the last week I have been observing how the ugly monster Colour Prejudice lives even here, where we all suffer the same misfortune! It is unbelievable that under these conditions man should hate man because of the colour of his skin.

The article in the March/April issue of *The Islamic Review* entitled "15 Million Africans Turn to Islam during the last Five Years" has been of great help to me in pointing out why the so-called "Christianity" (wrongly named!) of the white settlers in East Africa is losing ground to the missionaries of Islam. Not because of politics or superior guns but because any religion that *practices* as well as preaches the indisputable fact that *all* men are equal in the sight of God is bound to gain converts among a race of people who have been exploited, bullied and booted around for over a hundred years.

I have been chatting with the Assistant Chaplain here about arrangements for you to visit us whenever you are free to do so.

I am looking forward to our meeting together.

Yours in Islam,

Dear Mr. Tufail,

Assalamu 'alaikum

I am sorry to have to interrupt your work but I feel it necessary to inform you of the current activities of the tiny outpost of Islam in this desert of misunderstanding and disbelief.

Since my last letter to you in answer to your letter, it has become very obvious that our faith is passing through a critical phase. I have made the shocking discovery that two of my Muslim comrades here, both originally staunch

believers, are beginning to wonder if it is worth the trouble to practise in full their religion whilst under prison conditions! The main trouble is over the suspicion we have that some food issued to us is of a type forbidden by Muslim law. Even my friend who wrote to you is having difficulty in behaving as a good Muslim. I like to believe that we are all ambassadors of Islam here and should act as befits Muslims in accordance with the teaching of the Prophet Muhammad (on whom be peace!), who taught us to be tolerant, civil and polite in our dealings with non-Muslims. Unfortunately such behaviour is hard to practise. If even my older Muslim brothers find it hard, how much harder it is for me and for those younger ones whom I am trying to bring into the brotherhood of Islam.

We need your encouragement! My friend (who wrote to you) and myself both have the solace of being able to read the Qur'an. We have agreed to think of appropriate *Surahs* when faced with difficulties and tension. My own "shield" is verse 36 of the 42nd *Surah*, beginning "That which ye are given here is but a convenience of life . . ." Nevertheless, I hope that soon you will be able to come here and see us. Your presence here will most certainly act as the first sight of the relief column to a besieged fortress; as the first sight of land to a seasick tourist; as the first rainfall to a garden of parched, sun-drenched plants.

My brother in Islam sends his greetings, and I add my best wishes to you and your staff at Woking.

Yours in Islam,

* * *

H.M. Prison,
Canterbury.
19th September 1960.

Dear Imam,

I intend putting my sojourn here in this institution to good purpose in preparing myself for admission into Islam on my discharge. Then perhaps through its sincerity and truth I shall be spared the anguish of coming back into this kind of institution, for the failing of many Europeans is a result of having a too highly coloured faith which promises fantastic experiences — and then when those experiences fail to materialize we are inclined to say "There is no God" instead of saying "There cannot be an intermediary substitute for God". Of course, attempting to clarify my feelings and beliefs, my interpretations of God, my concepts and perceptions of God in the limited space afforded by correspondence is rendered totally inadequate. But suffice it to say that I have been without a faith for so long, and the older I become the greater is the desire for spiritual fulfilment.

Yours sincerely,

Dear Imam,

I have met a friend who has spoken of you and of the Shah Jehan Mosque at Woking. This mutual friend has enlightened me in many aspects of Islam. Here I find a simple faith, yet in its very simplicity — a magnanimity in its bare honesty. It is many years since I forsook the religion that was given to me at birth, though I have tried many times to satisfy my desire for spiritual fulfilment, and even until quite recently through one of the evangelical denominations, but each time I am confronted with the fantasies of man's creative mind, that Euro-Western predilection to make "faith" something beyond the comprehension of the average mental ability of the masses. Surely, it then ceases to be faith and instead becomes a paganism

worship of transubstantiation and magic.

However, my first step towards Islam is to read what the Prophet has to say, hence my request for the *Sayings of Muhammad*.

Yours faithfully,

P.S.—I trust you will forgive the fact that I should write to you from a prison.

* * *

H.M. Prison,
Pentonville,
London, N.7.
12th September 1960.

Dear Mr. Tufail,

Assalamu 'alaikum

My name is _____, and I am a Muslim Arab from Aden. I have only just heard of your address, although I knew there was a mosque somewhere near London.

There are about seven or eight Muslims here, perhaps more, and we have asked the Governor if we could be visited by an Imam or some other person from a mosque. The Governor agreed, but said that he did not know where to apply for a Muslim visitor. None of us knew of your mosque. Then another Muslim arrived here who told me of the Shah Jehan Mosque and suggested that I write to you. I know that you are a busy man, but perhaps you know of some other Imam or other Muslim who could come and see us here, if you cannot come yourself. I would be very pleased to see a Muslim visitor and to make some contact with the Muslim community outside.

The Muslims here are from various parts of the world. The man who told me of the work of the Shah Jehan Mosque mission made me want more than ever to meet someone from that mosque. We both have a Qur'an and we have been discussing various *Surahs*. He told me about the *'Id al-Adha* which you celebrated in June and he gave me a list of books on Islamic subjects which he had taken from *The Islamic Review*. He told me of his letters to you and assured me that you would be pleased to hear from any Muslim here.

Having to live among people who do not understand or believe Islam is very difficult, and some of the young Muslims here are beginning to lose their faith and let themselves be drawn from the teaching of the Prophet Muhammad, and are gradually falling into the ways of the unbelievers. Perhaps if a responsible older Muslim from outside the prison came to visit us here these young Muslims would once again return to the straight path of Islam. I am sure that the Governor of the prison will welcome you or any of your deputies to visit us if only for a quarter of an hour. No doubt you would be given much longer time to visit us. In any case I will be happy to hear from you.

Yours in Islam,

Dear Mr. Tufail,

Assalamu 'alaikum

Thank you very much for your letter and for the literature you sent me last week. I was very pleased to have the magazines with articles and photos of the *'Id al-Fitr* and *'Id al-Adha*, and am still finding much pleasure and interest in the book *The Charm of Islam*. My friend has already told you in his letter how we are using your leaflet "What is Islam?" We are both very grateful for your help and we look forward to the day when you will be able to come and visit us. Unfortunately some of the Muslims here have

20th September 1960.

great difficulty in reading English, and I wondered if you have any literature similar to that which you sent me but in Arabic. I understand that Islamic literature in Arabic is expensive and in short supply here in England, but my friend and colleague here says that if you incur any expense in obtaining such books he will arrange a settlement with you when you or your deputy comes to visit us.

The type of book in Arabic which I personally would like to read is of the Hadith of the Prophet or the *Sahih* of al-Bukhari. Like my friend, I have an Arabic Qur'an, although his, the one you sent him, is a much grander version than my tiny one. But Arabic, no matter how minute the type, comes easier to my eyes than English, and so I would like, if possible, for you to bring some literature in Arabic when you come. Since the arrival of your letters to us both last week things have "livened up" in the Muslim community here. I have a four-year sentence and have already been a long time without contact with the Muslim world outside. I was very glad indeed when my militant friend arrived and began arousing interest among Muslims and non-Muslims alike in the work of the Woking Muslim Mission. Gloom and despondency are now in the past. We are kept busy acting upon verse 125 of *Surah al-Nahl*.

I was very pleased with the Ramadhan-Shawwal issue of *The Islamic Review*, showing on its cover the main door of the Shah Jehan Mosque, and on one of the inside pages a picture of the mosque in full view. It is truly a beautiful building and I look forward to seeing it for myself one day, if God wills. I was deeply impressed by the demonstration of Islamic unity shown at the 'Id al-Fitr in Woking when the Shi'ah Mujtahid, Sayyid Mehdi Khorasany, led the 'Id Prayers. The photo showing the different poses of the men praying, some with hands folded and some with hands hanging loosely, yet with each face shining in reverence for the One God, was a picture to warm the hearts of all Muslims everywhere. It is a great encouragement to see a mosque in England giving an example and taking the lead in consolidating and unifying our faith.

Yours in Islam,

* * *

NATIONALIZATION OF THE LANGUAGE OF PRAYER AND THE 'AZAAN

Nuri Effendi Sokagi 14,
Samtya, Istanbul,
Turkey.

16th October 1960.

Dear Brother-in-Islam,

Assalamu 'alaykum

I read the editorial in *The Islamic Review* for October 1960, concerning the chanting of the 'Azaan (call to prayers) and the orisons in Turkish. I could not conceal the sorrowful surprise I felt when I found the approbatory tone of the views expressed in the article.

The nationalization of the language of prayer, the sounding of the 'Azaan and the chanting of the Qur'anic text in a national language for officiating at prayers, is a danger for Islam whose evil effects cannot be emphasized too strongly: for despite the adoption of the modern conception of nationalism by every Muslim State of today, if a Muslim feels a little at home in another Muslim country, it is because he finds the same 'Azaan and the same prayer rituals as in his own country.

What would the Friday service recited in Turkish mean or signify to a Pakistani or an Indonesian on a visit to Turkey, or vice versa? Absolutely nothing. It is not

difficult to imagine that this will spell the inevitable spiritual disintegration of the Muslim world.

To say that the modern Muslim wants to understand the divine message and that to accede to their desire, the nationalization of the language of prayer is a necessity, is a claim without foundation. For the divine message is accessible to all Muslims, for they have at their disposal its translation in their own mother tongue. If one were to maintain that the nationalization of orisons is for those who have not the means of procuring a translation (either because of poverty, or because they are illiterate) I could assert without the least fear of being contradicted that the average Turk who practises his religion does not even think of this change. If a plebiscite were held amongst such Muslims as fill the mosques in this country, one would not find even 1 per cent who would vote for the nationalization of the language of prayer. We are ever so much attached to orthodox Islam in this country, despite the contradictory aspect which is but apparent and superficial.

If we look at the subject at close quarters, what do we find? What is the meaning of the divine message of it is not coupled with the explanation and practice of our Prophet? "Pray, give the *Zakaat* . . . fast . . ." What would these commandments mean if our Prophet had not himself taught us these? What is the purpose of prayer? What is the supreme purpose which a Muslim aspires to reach in his prayer? In my humble opinion: to forget the world; to forget himself in the Divine Presence; and to offer his consciousness and his submission to the Creator, the Almighty. Let me say once again that the original text in Arabic just suits the prayer we are discussing; for the believer, in reciting the Arabic text, knows that he is reciting the Word of God, and this idea lends an indefinable ecstasy to the prayer of the Muslim. To replace the original by a translation would undeniably be a sort of sacrilege.

With kind regards, I am,

Yours sincerely,

KEMAL KUSCU.

* * *

A QUESTION OR TWO AGITATING THE MIND OF A MUSLIM

P.O. Box 9058, PP
Nairobi,

Kenya, B.E. Africa.
15th September 1960.

Dear Sir,

I would be glad if you would throw light on the following questions which have been agitating my mind for some time:

(1) In an article, *Islam: The Misunderstood Religion*, by Mr. James A. Michener (vide *Reader's Digest* for June 1955), the author in the section "The Book" states that "Islam is partly founded on words of four prophets who lived before Muhammad: Jesus, Noah, Abraham and Moses".

According to the Islamic belief, three complete Divine Books were revealed before Muhammad: the *Torah* to Moses, the *Psalms* to David, and the *Gospel* to Jesus. The Qur'an, revealed to Muhammad, is the fourth and the final Book.

Do you, by any chance, believe that the author meant these three prophets, to each of whom a complete Divine Book was revealed?

(2) Since Darwin published his book such a controversy has raged that it becomes well nigh impossible for a layman to find out what is true and what is not.

You might be interested to know that some time back a considerable correspondence went on in the *East African Standard* on the subject. Once the Editor wrote an editorial on the subject! Some of the correspondence was light, some serious. But the singular fact which was apparent was that all the correspondents were Christians, mostly Europeans, and a couple of Hindus. No Muslim took part in the correspondence on the subject.

The *Maulana* Jalal-ud-Din Rumi in his *Mathnawi* says : "Dying from the inorganic we developed into the vegetable kingdom. Dying from the vegetable we rose to the animal. And leaving the lower we became men. Then why should we fear that death will lower us? The next transition will make us angels. From angels we shall rise and become what no mind can conceive ; we shall merge in Infinity as in the beginning. Have we not been told (in the Qur'an) 'All of us will return to him' ? "

I believe that a "Darwinist" will jump at the above quotation and try to prove his case. However, I believe that the *Maulana's* utterance is a mystical one — with a bit of poetical licence added, and that it deals more with things

spiritual than physical.

Do you think this quotation has anything to do with the evolution in the physical sense? If so, how could one explain it in everyday language for the benefit of the laity? What has the Qur'an to say on this subject?

(3) *Creation*. Could you recommend a book, or a set of books, on this subject based on the Islamic way of thinking, starting with Adam and taking into account all that passed to date in chronological order? I know this is a vast subject, but what I have in mind is the treatment of the subject in a concise form. One could then delve deeper into one's favourite period.

(4) *Study of Islam and the Qur'an*. You are, perhaps, aware of the fact that various Christian institutions offer postal study courses, in various languages, in leaflet and lecture notes, on the Bible and Christianity.

Do you, by any chance, happen to know of any institution which offers a postal study course in English on Islam and the Qur'an?

Sincerely yours,
GULAM HUSSEIN DHANIDINA.

Continued from page 32

The emergence of the new *Ibn al-Kalaam* Dogmatic Theology in the World of Islam

struggling. Islam gave women complete economic independence ; she inherits from all sides and all her property inherited or earned is her own.

"Islam made marriage a civil contract by which the woman could ensure all the security she desired. She could obtain equal right of divorce. She could demand dissolution of marriage by bringing in proof of the incapacities of a husband for marital life or mental or physical cruelty or ill-treatment. She could demand a divorce by merely expressing her unwillingness to live with a husband on the condition that she foregoes the whole or part of her *mehr*. She could claim equal justice in every respect from a husband who has taken a second wife. This is the original Islamic law which was embodied in the Qur'an or derived from the Sunnah.

"But due to the rigidity of juristic orthodoxy and owing to ignorance or economic dependence of women the liberal aspects of marriage and family laws were either relegated to the background or became impracticable because of the complexity of procedure of our law courts.

"The Commission has proposed no new rights for women which the Qur'an and Sunnah had not already granted them ; it has proposed only to implement those rights and make them more secure by a better procedure, and in some cases the Commission has preferred the injunctions of the Qur'an and Sunnah to the interpretation of the later jurists whatever be the degree of their agreement or disagreement because none of them professed to be infallible.

"As in science, so in the history of law, sometimes even the unanimous opinion of the savants of a particular epoch is no guarantee of its truth or validity.

"In conclusion we would like to point out that all the reforms suggested in this report are not so interlinked that either all or any of them should be dropped in their entirety.

Enactment of recommendations

"The establishment of special matrimonial and family law-courts is long overdue and legislation should be undertaken immediately to bring such courts into being for the expeditious disposal of cases relating to marriage and family laws. This measure will remove the majority of the grievances of the women at a single stroke and enhance social justice as envisaged by Muslim law.

"The second measure which must be taken at once is to enact that (a) no person can marry a second wife in the lifetime of the first without the intervention of a matrimonial court and (b) that no person shall be able to pronounce a divorce without obtaining an order to that effect from a matrimonial and family laws court. We have made particular mention of these two measures as we consider that legislation introducing gradual reformation would be easier of enactment than a large complicated code. In India the original Hindu code as recommended by the Hindu Code Committee had to be split up into several portions and various enactments had to be passed at intervals to give effect to the various provisions thereof.

"In the words of the *Allama Iqbal*, "the question which is likely to confront Muslim countries in the near future is whether the law of Islam is capable of evolution — a question which will require great intellectual effort, and is sure to be answered in the affirmative ; provided the world of Islam approaches it in the spirit of 'Umar — the first critical and independent mind in Islam — who, at the last moments of the Prophet, had the moral courage to utter these remarkable words : 'The Book of God is sufficient for us.'

"May the Islamic Republic of Pakistan justify its name by reverting to the original dynamic liberal and creative spirit of Islam."

List of Books on Islam and Allied Subjects

Customers are advised not to order books by Air Mail. Air Mail Postage is expensive. It costs approximately 16/- per lb.

The Holy Qur'an

The Holy Qur'an with Arabic text, Translation and Commentary, by Maulana Muhammad 'Ali. LXX+ 1256 pp.	£	s.	d.
Leather bound — 1st Quality	3	0	0
Cloth bound — 2nd Quality	2	0	0
The Holy Qur'an. Arabic text, 848 pp.	1	0	0
The Holy Qur'an. Arabic text. Pocket size. 606 pp. 3½ in. x 2½ in.	8	0	0
The Holy Qur'an on one page. In beautiful decorative script and design, with magnifying glass. Post free	1	0	0
The Meaning of the Glorious Qur'an. English translation by Marmaduke Pickthall, an English Muslim scholar.	6	0	0
American Edition	1	10	0
English Edition. 691 pp.	1	10	0
The Koran Interpreted, by A. J. Arberry. Translation in English with an attempt to give an idea of the rhythm contained in the Qur'an. 2 vols. 8vo, cloth	2	2	0
Introduction to the Study of the Holy Qur'an by Khwaja Kamal-ud-Din. 141 pp.	5	0	0
Introduction to the Qur'an, by R. Bell. 8vo., X+190 pp.	18	0	0
The Religion of the Koran, by A. N. Wallaston. Reprint. 8vo., 88 pp.	6	0	0
The Triumph of the Holy Qur'an, by Maulana Sadr-ud-Din. 213 pp., post free	8	0	0

Hadith, Fiqh, Jurisprudence, etc.

Sayings of Muhammad, by Allama Sir Abdullah al-Mamun al-Suhrawardi. Foreword by Mahatma Gandhi	6	0	0
Sahih of al-Bukhari. English translation of only 4 books, by Aftab ud-Din Ahmad. 244 pp.	12	6	0
Outlines of Muhammadan Law, by A. A. A. Fyzee. 2nd ed. 445 pp.	1	8	0
Ijma' and the Gate of Ijtihad, by K. A. Faruki. 8vo., iv+42 pp.	6	0	0
Origins of Muhammadan Jurisprudence, by J. Schacht	1	10	0

The Prophet Muhammad

The Ideal Prophet, by Khwaja Kamal-ud-Din. Demy 8vo, 274 pp.	5	0	0
Living Thoughts of the Prophet Muhammad, by Muhammad Ali. Cr. 8vo, 142 pp.	1	2	0
Life of Muhammad, by F. R. Hakeem. Cr. 8vo, 48 pp.	7	0	0
Heroes and Hero-Worship, by Thomas Carlyle. Contains a beautiful article on the Prophet Muhammad	4	6	0
In the Footsteps of the Prophet, by Rafiq M. Khan. 137 pp.	3	3	0
The Life of Muhammad. A translation of Ibn Ishaq's Sirat Rasul Allah with introduction and notes by A. Guillaume. 1956. xlvii+813 pp.	18	0	0
Muhammad at Mecca, by W. M. Watt. xvi+192 pp....	1	0	0

Muslim History

The Legacy of Persia, by A. J. Arberry. It contains thirteen valuable contributions on Persian Art and Culture by well-known Western scholars. Cr. 8vo., xvi+421 pp., with 53 plates and index	1	0	0
--	---	---	---

Prices subject to change

CAN BE OBTAINED FROM :

THE WOKING MUSLIM MISSION AND LITERARY TRUST
The Shah Jehan Mosque, Woking, Surrey, England

also from AZEEZ MANZIL, BRANDRETH ROAD, LAHORE, WEST PAKISTAN

Outlines of Islamic Culture, by A. M. A. Shustery. The book not only brings out the main features of Islamic culture, but elucidates what is common to it and other cultures. 2 vol. Demy 8vo, xxiv+340, and viii+341-796, vi (index); xv chapters, 43 illustrations and appendices	1	10	0
A Short History of the Saracens, by Ameer Ali. With maps, illustrations and genealogical tables. 640 pp.	17	0	0
The Legacy of Islam, edited by Sir Thomas Arnold and Alfred Guillame. 432 pp. with 42 plates	1	1	0
The Arabs: A Short History, by P. K. Hitti. 236 pp.	10	6	0
History of the Arabs, by P. K. Hitti. 822 pp.	2	10	0
History of the Islamic Peoples, by Carl Brockelmann. 566 pp.	1	5	0
Support of the Faith, by Mir Hashmat Ali. 76 pp.	4	6	0
Islam's Contribution to the Peace of the World, by S. A. Haque. 52 pp.	1	3	0
Mysteries of Selflessness. A Philosophical Poem by the late Dr. S. M. Iqbal. Translated with Notes by Professor A. J. Arberry	6	0	0
The Spiritual Physick of Rhazes. Translated from Arabic by Professor A. J. Arberry	6	0	0
Faith and Practice of al-Ghazzali, by M. W. Watt. 8vo., 155 pp.	9	6	0
Muhammadan Festivals, by G. E. von Grunebaum. 8vo., viii+107 pp.	1	1	0
Social Justice in Islam, by S. Kotb. Deals with contemporary Islamic thought in relation to social justice and its position <i>vis-à-vis</i> the non-Islamic world. 8vo., 298 pp.	1	6	0
Cloth	1	14	0

General Books

Iqbal, his Art and Thought, by S. A. Vahid	1	10	6
A New World, by W. B. Bashyr Pickard. Cr. 8vo., 171 pp.	5	0	0
The Road to Mecca, by Muhammad Asad. The author's story of his discovery and acceptance of Islam. 8vo., xiii+381 pp., with end paper maps and 12 plates ...	1	1	0
Falcon of Spain, by Thomas Ballantyne Irving. 158 pp.	12	0	0
Alf Laila wa Laila, by A. J. Arberry. Tales from the Thousand and One Nights. 8vo, 222 pp., with 6 illus. Cloth	15	0	0
Islam in Africa and the Near East, by S. M. Ahmed. Cr. 8vo., 307 pp.	12	0	0
Islam in India and the Middle East, by S. M. Ahmed. Cr. 8vo., 265 pp., with frontispiece	12	0	0
The Spirit of Islam, by Ameer Ali. History of the Evolution and Ideals of Islam with the life of the Prophet. 6th imp., 8vo, 71+513 pp., with frontispiece	1	10	0
Bridge to Islam, by E. W. Bethmann. Study of the religious forces of Islam and Christianity in the Near East. 8vo, 240 pp.	15	0	0
Studies in Muslim Ethics, by D. M. Donaldson. History of the Muslim ethical system with quotations from principal Arabic and Persian writers. 8vo, xi+304 pp.	1	7	6
Islam in East Africa, by L. P. Harris. 8vo, 96 pp.	5	0	0
An Arab Philosophy of History. Selections from the prolegomena of Ibn Khaldun of Tunis (1332-1406 C.E.). Translated and arranged by Charles Issawi ...	7	6	0
Mohammedanism, by H. A. R. Gibb. 206 pp.	6	0	0
Golden Deeds of Islam, by M. Yakub Khan. Cr. 8vo., 132 pp.	5	0	0

Postage and Packing Extra

